



Public Right of Way User Evidence Statement

Revised April 2018

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential.

- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name DAVID STRATTON

Address 2 MOUNT PLEASANT

CHATBURN CLITHERDE

LANCS

Postcode BB7 4AF

Year of Birth 1961

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

POST OFFICE, CHATBURN

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☒ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

START POINT, AT THE TOP OF OLD RA CHATBURN, ON THE LEFT HAND SIDE YOU ENTER THE PATH THROUGH A WROUGHT IRON KISSING GATE. THE PATH IS WELL TRODDEN & UNBULATING FOLLOWING THE LINE OF THE WIRE FENCE WHICH SEPARATES THE FIELD FROM THE QUARRY. APPROXIMATELY 50m ALONG THE PATH YOU PASS THROUGH A WOODEN GATE/STEPS, YOU CONTINUE APPROX A FURTHER 30m BEFORE TURNING LEFT, YOU HAVE THE WILDLIFE AREA TO YOUR RIGHT, YOU CONTINUE DOWN THE FIELD ON A WELL TRODDEN PATH TOWARDS TWO LARGE MATURE TREES, YOU PASS THE TREES ON YOUR LEFT TO ANOTHER GATE/STILE IN THE BOTTOM CORNER OF THE FIELD, YOU THEN FOLLOW THE NARROW PATH BETWEEN THE REAR GARDENS OF CROW TREES BROW HOUSES & HIGH BEECH HOUSE. YOU EXIT THIS PATH ONTO THE DRIVEWAY OF HIGH BEECH HOUSE & OUT ONTO CROW TREES BROW. THIS IS WHERE THE PATH ENDS

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1969 To 2021

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

No

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	✓					
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

PLEASURE
.....
.....
.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
(b) on horseback
(c) on bicycle/horse-drawn vehicle
(d) with motorised vehicle
(e) other, please specify

✓

.....

6. Were they using exactly the same route as you? **YES**



If not please give provide details below: (please attach a separate sheet is necessary)

.....

.....

.....

.....

6. Has the application route always followed the same course?

- ☒ Yes
- ☐ Don't know
- ☐ No

If no – how and when was the route altered?

.....

.....

.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

DONT KNOW

.....

.....

.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

GRASS

.....

.....

.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

A WOODEN STILE WAS ERECTED WHEN
BUILDING COMMENCED ON THE SITE
NOW KNOWN AS HAREHILL CROFT

How long were they in place?

IT IS STILL IN PLACE SINCE ERECTION
IN 2017 (APPROX) SHOWN ON MAP

b. Gates [state locations, indicate whether locked – and when - and show on your map]

c. Other barriers [state what they were and location, how long they were in place and show on your map]

10. Did any of the above prevent you from using the application route?

☒ No

☐ Yes

If yes, please give details

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☒ No

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....
.....
.....

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

..... THIS ROUTE IS A WELL TRODDEN PATH
..... AND HAS BEEN FOR AS LONG AS
..... I CAN REMEMBER (SEE PHOTO MARCH 2016)

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....
.....
.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....

.....

.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☐ No

☒ Yes

If yes – please provide details

SEE ATTACHED PHOTO SHOWING A
CLEARLY TRODDEN ROUTE AS STATED IN
SECTION 2.

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?
[Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

THIS HAS BEEN A WELL USED ROUTE IN
CHATBURN FOR ALL OF MY LIFE.

.....
.....
.....
.....

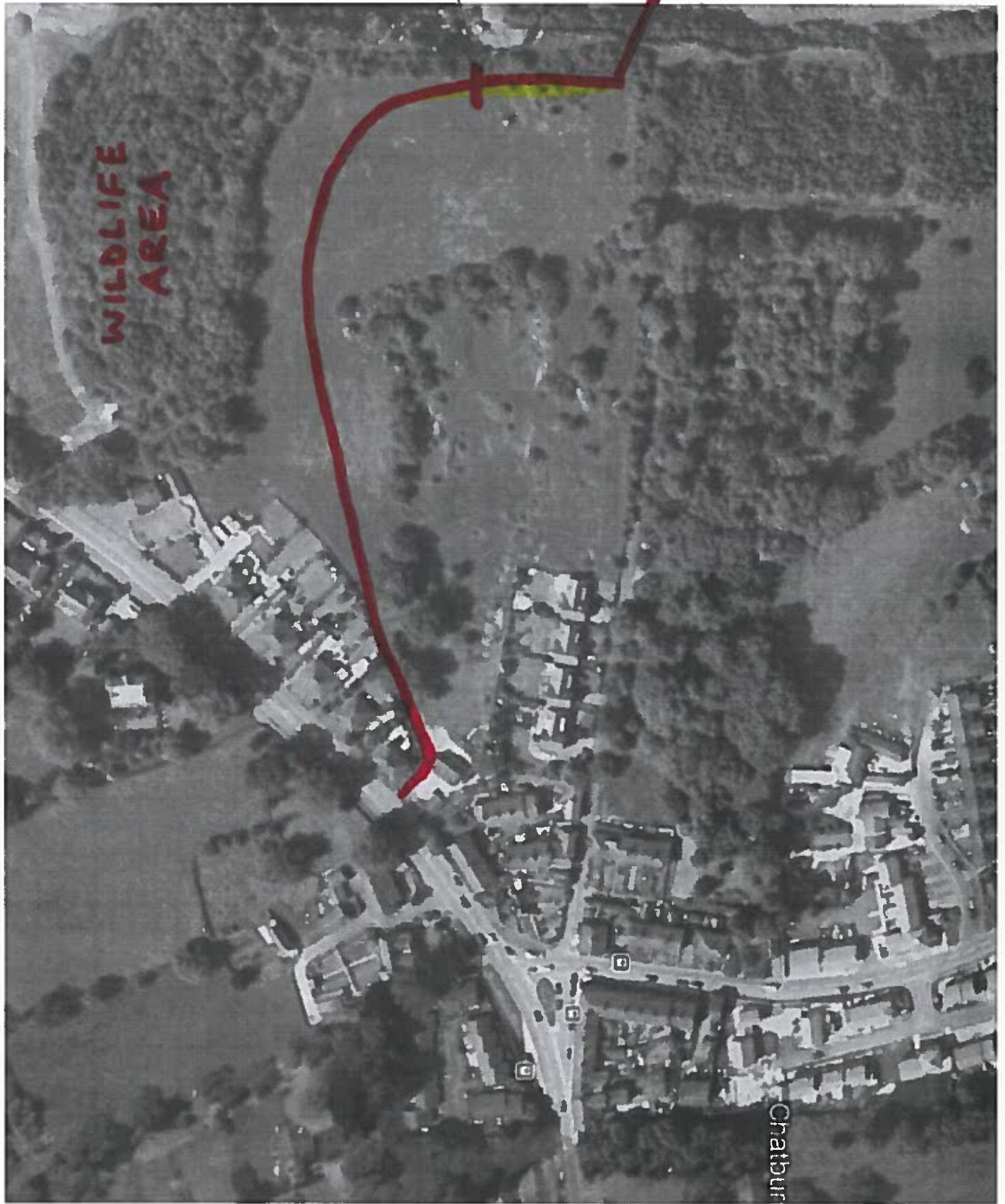
21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

- ☒ Yes
- ☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

- ☒ Yes
- ☐ No





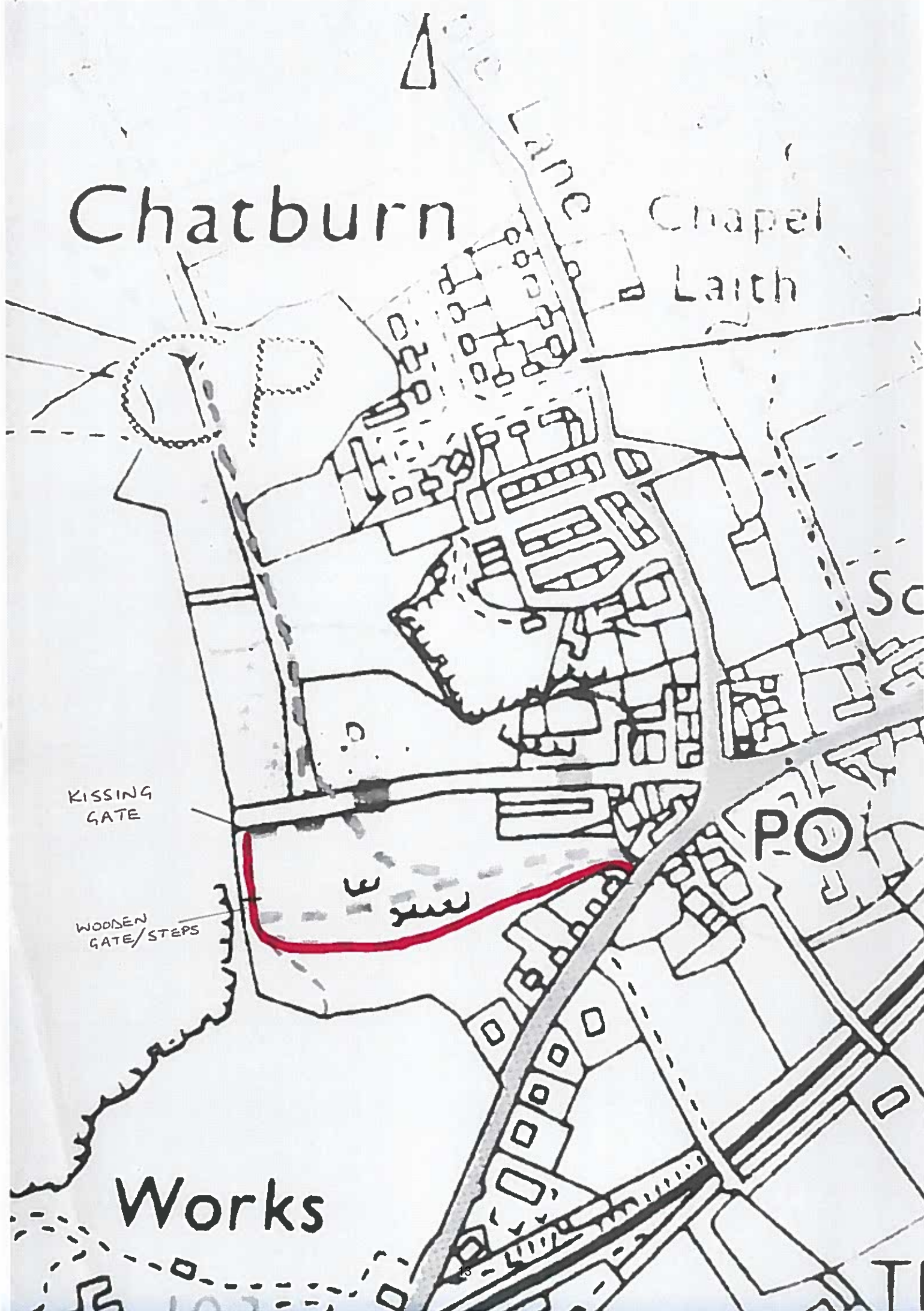
WOODEN
GATE/STEPS
ERECTED SINCE
COMMENCEMENT
OF HAREHILL
CROFT

WROUGHT
IRON KISSING
GATE

BT-Enthn
3-5-21

Chabur

Chatburn



PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name MR GARY SCOTT

Address 19, RIBBLESDALE VIEW

CHATBURN

CLITHEROE

LANCS. Postcode BB7 4BB

Year of Birth 1957

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

DARKWOOD CRESCENT CHATBURN 25 years

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

☒ As a footpath (public rights on foot only)

☐ As a bridleway (public rights on foot and on horseback or bicycle)

☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)

☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

..... THROUGH METAL CLAPPED GATE AT THE VERY TOP
 OF CHATBURN OLD ROAD CHATBURN. WALKING ALONG THE TOP FENCE
 NEXT TO QUARRY. THEN PAST STONE WALL AND TURNING LEFT
 ACROSS FIELD BEHIND HOUSES ON CROW TREES BROW. COMING OUT
 THROUGH EXIT ONTO CROW TREES BROW.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1960'S To PRESENT

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

..... NOT. REALLY - ONLY DURING DEVELOPMENT WORK

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		1960s ✓ 1970s				ROUTE USED BY MANY PEOPLE.
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

RUNNING - WALKING DOG.
.....
.....
.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
(b) on horseback
(c) on bicycle/horse-drawn vehicle
(d) with motorised vehicle
(e) other, please specify

✓

.....

6. Were they using exactly the same route as you? **YES** ✓ **NO**

If not please give provide details below: (please attach a separate sheet is necessary)

.....

.....

.....

.....

6. Has the application route always followed the same course?

- ☒ Yes
- ☐ Don't know
- ☐ No

If no – how and when was the route altered?

.....

.....

.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

..... DIFFICULT TO SAY BECAUSE YOU ARE WALKING

..... IN AN OPEN FIELD.

.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

..... GRASS.

.....

.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

TEMPORARY STILES NEAR QUARRY FENCE.
PERMANENT STILE NEAR CROWTREES BROW EXIT.

How long were they in place?

LAST FEW YEARS DUE TO BUILDING WORK
NEAR QUARRY FENCE.

b. Gates [state locations, indicate whether locked – and when - and show on your map]

VERY OLD METAL CLAPPER GATE TOP OF
OLD ROAD ON LETHAND SIDE.

c. Other barriers [state what they were and location, how long they were in place and show on your map]

METAL FENCE CLOSING OFF CLAPPER GATE.
USE.

10. Did any of the above prevent you from using the application route?

☐ No

☒ Yes

If yes, please give details

WHEN THE METAL CLAPPER GATE WAS CLOSED
WITH LARGE METAL FENCE THIS PREVENTED ACCESS
TO WALKING ROUTE.

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

- ☒ No
- ☐ Yes
- ☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....

.....

.....

12. Have you seen other people using the application route whilst you have been using it?

- ☐ No
- ☒ Yes

If yes, please provide any additional information about this

..... MANY TIMES OVER THE YEARS I HAVE SEEN AND

..... TALKED TO PEOPLE ON THIS ROUTE.

.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

- ☒ No
- ☐ Yes

If yes, provide details and dates

.....

.....

.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☒ No

☐ Yes

If yes – please provide details

.....
.....
.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way? [Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

I HAVE USED THIS ROUTE SINCE THE 1960'S AND
I THINK IT IS NOW TIME FOR IT TO BE RECORDED AS A
PUBLIC RIGHT OF WAY.

50 YEARS AGO A LIVED ON DARKWOOD CRESCENT CHATBURN
AND WOULD USE THE FOOTPATH ABOVE DARKWOOD TO CROSS
THE OLD ROAD, THEN GO THROUGH THE CLAPPER GATE AND TAKE
THE PROPOSED ROUTE AND COME OUT ON CROW TREES BROW, AND INTO
THE CENTRE OF THE VILLAGE, (MAP ENCLOSED WITH STATEMENT)

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

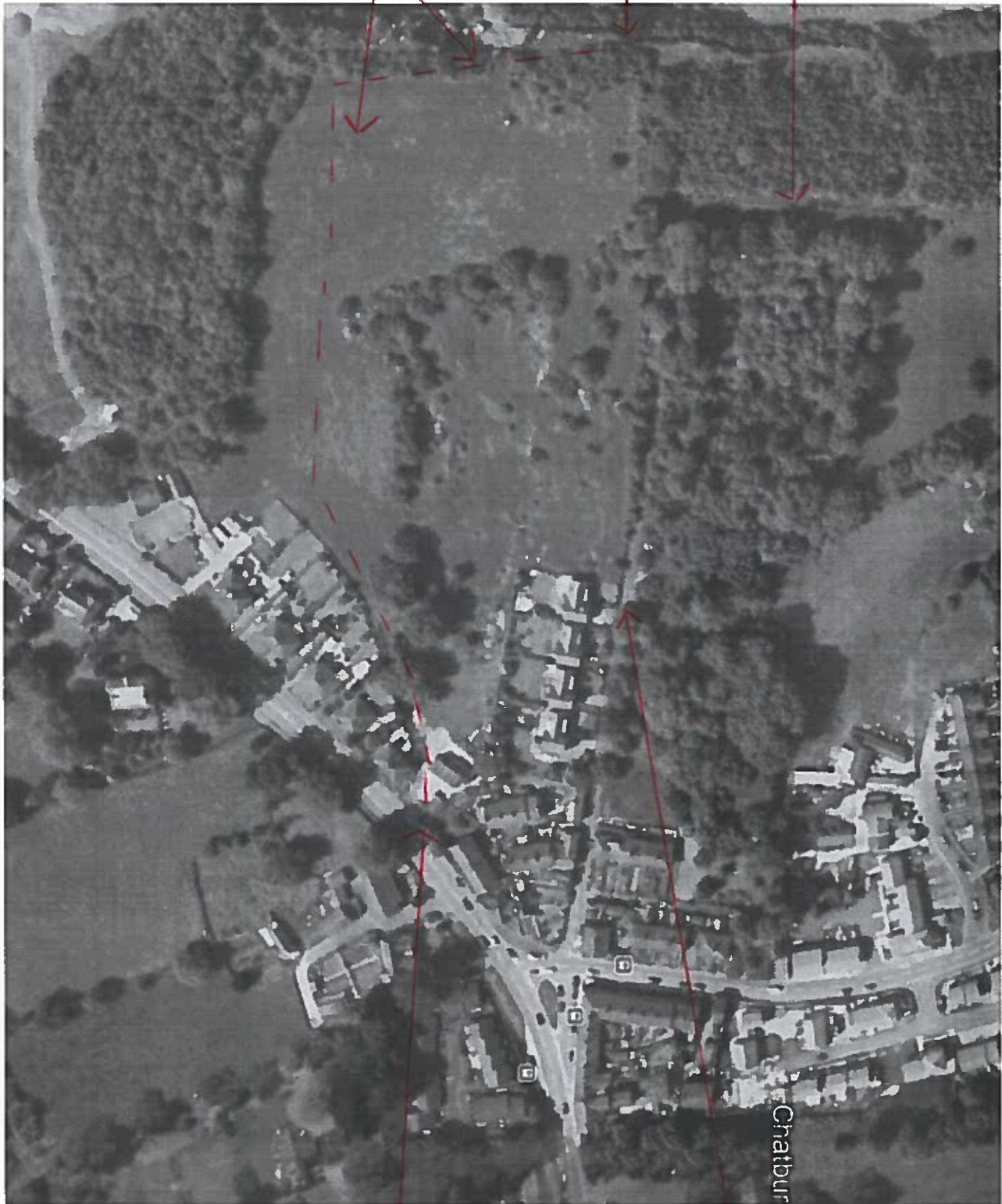
☐ No

DARKWOOD CRESCENT.

DARKWOOD
FOOT PATH

OLD METAL
GATE.

ROUTE
USED.



CHATBURN

CHATBURN
OLD ROAD

EXIT
ON TO

CROW
TEES BROW

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

JOHN RIDGWAY

Address

4 PARK AVENUE, CHATBURN,

CLITHEROE, LANCs

Postcode BB7 4AH

Year of Birth

1946

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☒ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

The route starts on Crow Trees Brow, Chatburn at number 8A (BB7 4AA), through a staggard wooden gate.

The narrow path, approx 1m in width is on earth for a distance of 60m emerging over a stile into an open field. The continuing usual route has been blocked by builders security fencing.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1980 To 2021

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

2011 - 2013 HEALTH CONDITIONS

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot					✓	
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

PLEASURE
.....
.....
.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
(b) on horseback
(c) on bicycle/horse-drawn vehicle
(d) with motorised vehicle
(e) other, please specify

✓

.....

6. Were they using exactly the same route as you? **YES** ✓

NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

- ☐ Yes
☒ Don't know
☐ No

If no – how and when was the route altered?

.....
.....
.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

..... DONT KNOW
.....
.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

..... EARTH/GRASS
.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

..... YES

How long were they in place?

..... AS LONG AS I HAVE USED IT

b. Gates [state locations, indicate whether locked – and when - and show on your map]

..... YES - OPEN

c. Other barriers [state what they were and location, how long they were in place and show on your map]

..... BUILDERS BARRIER

10. Did any of the above prevent you from using the application route?

☒ No

☒ Yes

If yes, please give details

..... AS ABOVE, SEE ANSWER TO

..... QUESTION TWO.

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☒ No

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....
.....
.....

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

..... OTHER WALKERS
.....
.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....
.....
.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....

.....

.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....

.....

.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☒ No

☐ Yes

If yes – please provide details

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20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?
[Continue on a separate sheet if necessary]
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.....

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.....

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.....

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21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

☐ No

* START AND FINISH POINTS

1. GATE
2. STILE



4th May 2021

J. Ridgway

Public Right of Way User Evidence Statement

Revised April 2018

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

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- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
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PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name JANET M. RILEY

Address APPLETON COTTAGE

2 CLOW TREES BROW

CHATBURN

CLITHEROE Postcode BB7 4AH

Year of Birth 1935

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

NO

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☒ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

UP OLD ROAD TO THE LISSING GATE ALONG THE WOODHILL...
 TO THE NATURE RESERVE. ALSO THE ROUTE TO CROWTREES BROW...
 BY THE BACK OF THE SEMI HOUSES WAS ABOVE THE TREES BUT DUE TO
 IT BEING UNEVEN WENT THE OTHER SIDE OF THE TREES.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1988 To 2010

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

From 2010 due to ill health

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot			✓			
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

FOR PLEASURE
.....
.....
.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
(b) on horseback
(c) on bicycle/horse-drawn vehicle
(d) with motorised vehicle
(e) other, please specify

✓

.....

6. Were they using exactly the same route as you? ☒ YES

☐ NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

- ☐ Yes
☐ Don't know
☒ No

If no – how and when was the route altered?

THE PATH GOING DOWN TO CROW TREE BROW WAS ON THE
UPPER SIDE OF THE TREES (IE OLD RD SIDE). EVENTUALLY THE PATH WAS
UNEVEN. SO IT WENT DOWN THE LOWER SIDE OF THE TREES

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

3 / 4 ft

.....
.....
.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

GRASS GRAVEL AND EARTH RUBBLE

.....
.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

.....~~KISSING GATE~~ OFF OLD ROAD.....

.....KISSING GATE OFF OLD ROAD.....

How long were they in place?

.....FOR A VERY VERY LONG TIME.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

.....KISSING GATE OFF OLD ROAD.....

c. Other barriers [state what they were and location, how long they were in place and show on your map]

.....A WALL INTO THE NATURE RESERVE HAD STEPS u. to the
.....RESERVE.....

10. Did any of the above prevent you from using the application route?

☒ No

☐ Yes

If yes, please give details

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☒ No

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....
.....
.....

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

..... WHEN IT WAS A PLEASANT WALK WITHOUT HOUSES AND
BUILDINGS SITE

.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....
.....
.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☒ Yes

If yes, please give details including when this happened

WHEN...A FENCE WAS...PREVENTING ME FROM GOING ON THE
PATH FROM THE KISSING GATE TO THE NATURAL RESERVE SO I HAD TO
GO DOWN THE FIELD PATH TO CHOW TREES BROW AT THE BACK OF
CHOW TREES HOUSES APRIL
MAY 2021.

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☒ Yes

If yes, please give details including when this happened

.....

.....

.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....

.....

.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way? [Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

.....

.....

.....
.....
.....
.....

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

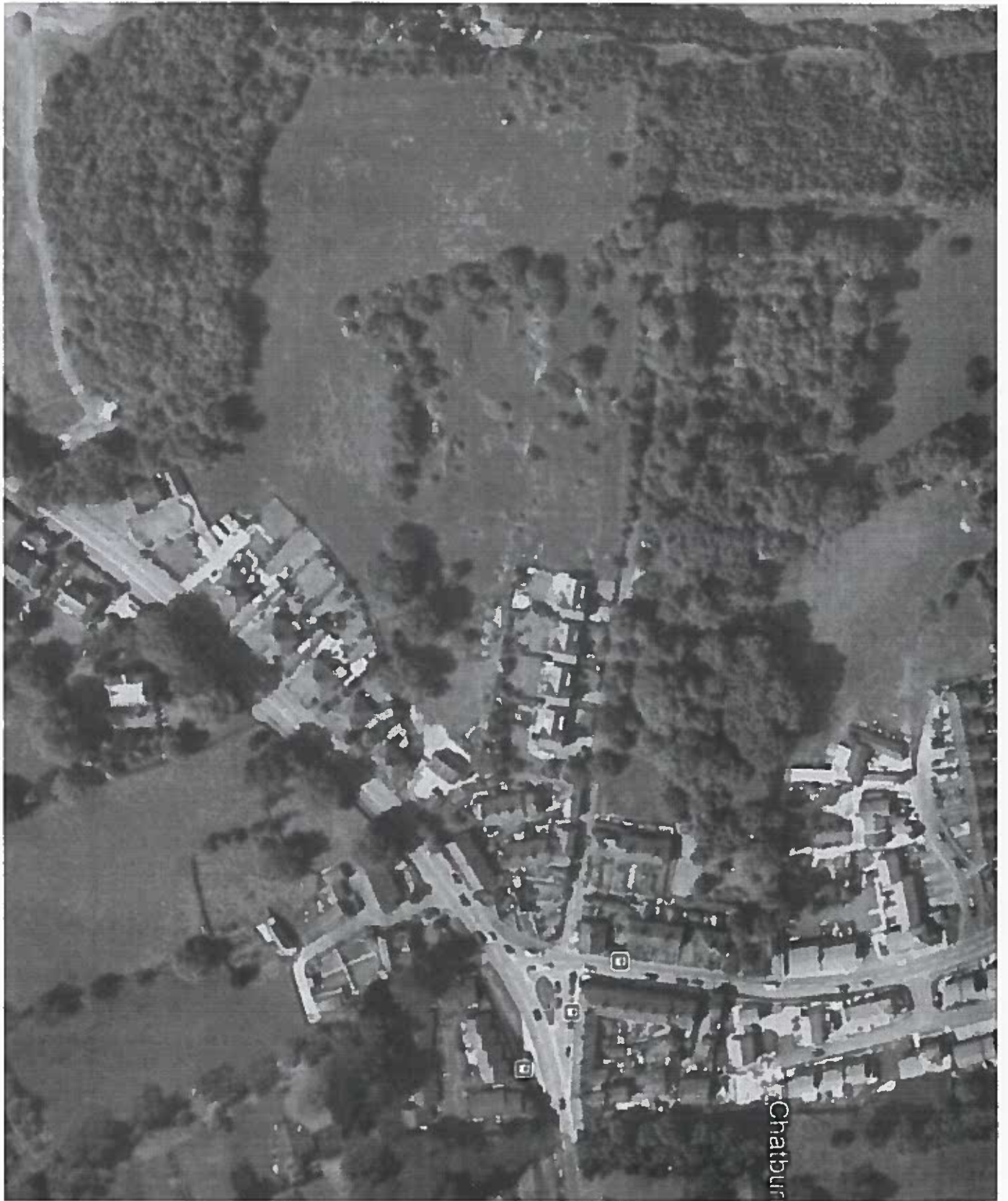
☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☐ Yes

☒ No



Chatburn

Chapel
Laith

KISSING
GATE
SIGN
POST

NATURE
RESERVE

Works

OLD ROAD

CROW
TREES
BROW

Public Right of Way User Evidence Statement

Revised April 2018

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

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PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name KATHLEEN GROOBY

Address "HILLSIDE" 26, CROW TREES BROW,
CHATBURN, CLITHEROE

Postcode BB7 4AA

Year of Birth 24-6-1946

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

No

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☒ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

STARTS BEHIND 10-15 CROW TREES BELOW HOUSES OVER

A STILE AT THE SIDE OF THE LARGE TREE. ACROSS THE

TONARDS CASTLE QUARRY THROUGH THE KISSING GATE

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1989 To 2019

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

STARTED WITH PARKINSONS UNABLE TO USE IT

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot ✓						only 2019 due to PARKIN SONS
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

PLEASURE
.....
.....
.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
(b) on horseback
(c) on bicycle/horse-drawn vehicle
(d) with motorised vehicle
(e) other, please specify

✓

.....

6. Were they using exactly the same route as you? ☒ YES

☐ NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

- ☒ Yes
- ☐ Don't know
- ☐ No

If no – how and when was the route altered?

.....
.....
.....

7. Approximately how wide is the application route?
[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

ABOUT 1 YARD
.....
.....
.....

8. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

GRASS
.....
.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

STILE BEHIND 10-18 CROWN TREES BROW

How long were they in place?

NOT SURE

b. Gates [state locations, indicate whether locked – and when - and show on your map]

WALKED THROUGH THE KISSING GATE

c. Other barriers [state what they were and location, how long they were in place and show on your map]

ONLY WHEN DEVELOPER ALTERED THE GATE

10. Did any of the above prevent you from using the application route?

☒ No

☐ Yes

If yes, please give details

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☒ No

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....
.....
.....

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

WALKERS & RAMBLERS
.....
.....
.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....
.....
.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....

.....

.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☐ No

☒ Yes

If yes – please provide details

ENCLOSED MAP.

.....

.....

.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way? [Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

DEVELOPER HAS ILLEGALLY MOVED THE FOOTPATH

.....

.....

.....

.....

.....

.....

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

☐ No

2





Public Right of Way User Evidence Statement

Revised April 2018

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PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Lesley Chatburn

Address 12 Crow Trees Brow
CHATBURN
Lancashire

Postcode BB7 4AA

Year of Birth 1948

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

No

I have lived at this address for 19 years.

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☒ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

At the top of the footpath behind ^(Numbers) 10-18 Crown Trees Brown houses, stile ① the path enters the field and crosses roughly 20 feet left of the bushes on the edge of the quarry to the furthest bush at the southern end, Bush (Z) on plan. then straight to Gate ① The line including stile ② was a deviation imposed by builder R. Jackson.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 2003 To 2020

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

No.

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		✓				
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

walking the dog, sometimes to link up with the footpath down to the River RIBBLE across the top of Old Road.

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
- (b) on horseback
- (c) on bicycle/horse-drawn vehicle
- (d) with motorised vehicle
- (e) other, please specify

✓

.....

6. Were they using exactly the same route as you?

☒ YES

☐ NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

☐ Yes

☐ Don't know

☒ No

If no – how and when was the route altered?

After the ^{start of the} building of the Houses by R. Jackson the route changed to ^{follow} the hedge and fence next to the quarry at the top and a ^{new} difficult style imposed by R. Jackson ^(builder) to the gate at the top of Old Road.

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

..... approximately 10 feet – original path.
..... Altered path – about 3' feet wide and
..... uneven (side of a slope) to walk on

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

..... grass

..... or soil where the grass wore away
..... on the changed route in 6. – and was
..... only about 3 feet wide along there.
..... and on the side of a slope, and muddy
..... and slippery.

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

① - into the site from footpath behind properties on Crow Trees Row.

② - new one imposed by R. Jackson near the hedge/fence of quarry.

How long were they in place?

① - before 2002 and still today.

② - don't know, have stopped going there as often muddy, and the stile was difficult to use.

b. Gates [state locations, indicate whether locked - and when - and show on your map]

One ~~the~~ gates - where the changed route met the road at the top of Old Road.

c. Other barriers [state what they were and location, how long they were in place and show on your map]

no other barriers as such, but the metal fencing 6' high surrounding the building site and the sign saying the path was temporarily closed were effective barriers.

10. Did any of the above prevent you from using the application route?

☐ No

☒ Yes

If yes, please give details

stile ② imposed by R. Jackson after the start of the building of the houses, behind the Senecott site. It was difficult to use involving climbing up onto a ledge and moving a sliding section. Not easy with a dog, and not flat and now narrow - about 3 feet wide.

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☒ No

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....

.....

.....

12. Have you seen other people using the application route whilst you have been using it?

☒ No

☐ Yes

If yes, please provide any additional information about this

.....

.....

.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....

.....

.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....

.....

.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

Informed by sign that it was temporarily closed

☒ Yes

If yes, please give details including when this happened

when the quarry was being fenced off, there was a sign near stile ② on the metal fencing saying the footpath across the field was temporarily closed for a period of time. Can't

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

remember how long!

If yes, please give details including when this happened

.....

.....

.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....

.....

.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

I feel this is just a step to clear the remaining land for housing development without the constraint of a footpath across the middle of ¹⁰₆₅ it. A devious move !! and otherwise unnecessary.

.....
.....
.....
.....

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

- ☒ Yes
☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

- ☒ Yes
☐ No

original
soot bath

style ①

style ②

gate ①

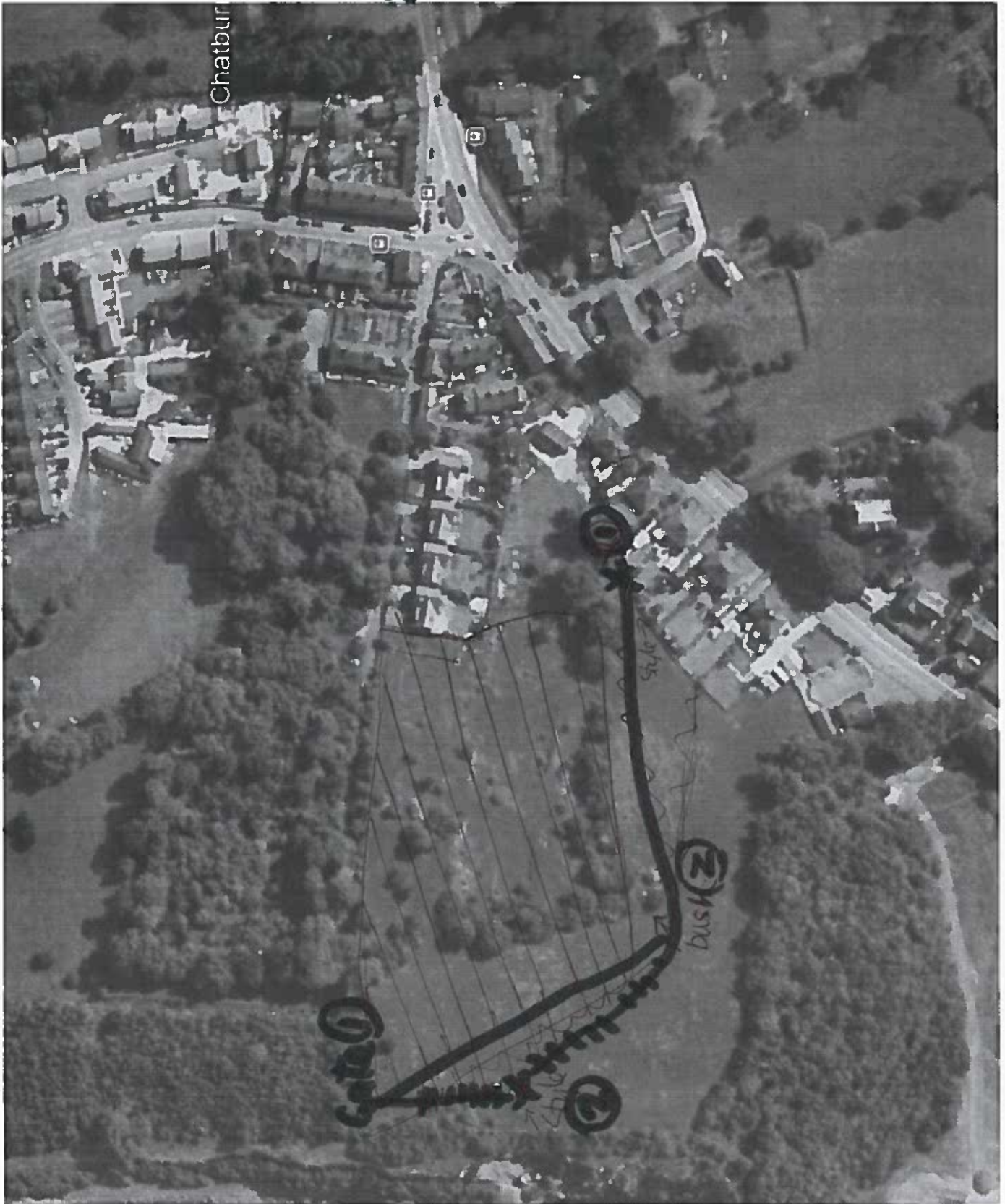
gate ①

style ②

bush ②

Route
imposed by
builders
R. Jackson

building site



L. Chatburn.

DECLARATION

Data Protection Legislation

Under the Data Protection Act and the General Data Protection Regulation the OMA has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the OMA's website.

Please print your name here ..Mrs..LYNDA..ENGLAND.....

Your: Home Telephone Number ..01200.441.827.....

Mobile Telephone Number

Email Addresslynda..England..e.l..cloud..com.....

Statement of Truth

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATION ABOVE

Your Signature: Lynda M England

Date: 2/5/2021

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Information on this page of the Statement will be redacted and not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

.....LYNDIA ENGLAND.....

Address

....."HIGH VIEW" S. OLD ROAD.....

.....CHATBURN.....

.....NR. CLITHEROE.....

.....LANCS.....Postcode BB7 4AB.....

Year of Birth

.....1949.....

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

I LIVED IN A VILLAGE TWO MILES FROM CHATBURN FROM 1985 TO 2007

I USED THE FOOTPATH DURING THAT TIME WHILE I WAS WALKING WITH
A FRIEND WHILE OUR SONS WERE AT CURS IN CHATBURN.

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☒ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

THE PATH STARTS THROUGH A METAL MISSING GATE. IT FOLLOWS
NEXT TO THE FENCE OF THE QUARRY. YOU COULD CONTINUE ON
TO THE WALL OF THE NATURE TRAIL OR BEND LEFT DOWN THE.....
FIELD TO EXIT AMONG TREES BELOW. (ROUTE MARKED IN RED)

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1985..... To April 23/4/2021. BLOCKED OFF

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

.....NO.....
.....
.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	✓	✓	✓	✓		
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

...DOG WALKING...MOSTLY...I VOLUNTEER WITH LANCES....

WILD LIFE TRUST...WHO MANAGE THE NATURE RESERVE.

SO...I ACCESS...IT...BY THAT PATH FROM MY HOME (OLD ROAD)

5. In what way/s have you noticed other people using the route? (Please tick)

(a) on foot

(b) on horseback

(c) on bicycle/horse-drawn vehicle

(d) with motorised vehicle

(e) other, please specify

✓

.....

6. Were they using exactly the same route as you? ☒ YES

☐ NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....
.....
.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

...3 FEET... 1 METRE... APPROX.....
.....
.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

...BIT... OF... STONE... AT... THE... OLD... ROAD... END... THEN... ON... TO... GRASS...
.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

THERE IS A TEMPORARY STILE HALF WAY ALONG TO
STOP...SHEEP...GETTING ALONG BEHIND THE BUILDING
SITE, BEEN THERE ABOUT 3 YEARS.....

How long were they in place?

IT IS STILL THERE ABOUT 3 YEARS.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

c. Other barriers [state what they were and location, how long they were in place and show on your map]

THE HOUSE DEVELOPER BLOCKED THE METAL KISSING
GATE WITH FENCING ON FRIDAY 23/4/2021.....

10. Did any of the above prevent you from using the application route?

☐ No

☒ Yes

If yes, please give details

BECAUSE OF THE FENCE YOU CAN NOT GET TO THE
KISSING GATE. THERE IS NO WAY OF BYPASSING
IT. SO THERE IS NOW NO ACCESS.....

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☐ No

☒ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....THERE IS AN ARROW POINTING TO THE KISSING GATE.....

.....ON THE OLD ROAD.....

.....

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

.....IT IS ONE OF THE MOST USED PATH WE HAVE IN THE.....

.....VILLAGE. EVERYONE I HAVE SPOKEN TO, ALL THOUGHT

.....IT WAS AN OFFICIAL FOOT PATH.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....

.....

.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☐ No

☒ Yes

If yes – please provide details

I HAVE AN OS MAP DATED 2005 WHICH SHOWS TWO PATHS...
COMING UP THE FIELD AND ENDING AT THE QUARRY FENCE.
THE PATH WE HAVE BEEN USING LINKS THESE TWO PATHS...

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?
[Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

I BELIEVE EITHER CASTLE CEMENT OR CHATBURN COUNCIL
SHOULD HAVE NOTICED THIS PATH WAS NOT REGISTERED WHEN

THE CEMENT COMPANY GOT PERMISSION TO ENLARGE ITS
QUARRY IN THE SIXTIES, CUTTING OFF THE TWO PATHS.
ON THE OS MAP OF 2005, THE PATH IS WELL MARKED, DOES
NOT SHOW WELL ON AERIAL PHOTOS. PHOTOS SUPPLIED BY
MY NEIGHBOUR AT NO 7 OLD ROAD SHOWS THE WAY OF USE

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

☐ No

Chaburn

Chapel Laith

94

A 59

TBURN

P

Limestone
Quarries

Works

102

Garden

The Royds

Ashcroft

112

ROMAN ROAD

FBS



Sch

St. Mary's

PO

FBS

121

10

Access to
Marine
Reserve

Warning
Car 15

Footpath

Ground





Public Right of Way User Evidence Statement

Revised April 2018

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential.

- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name LINDA MYERS (plus husband KEITH MYERS)

Address 24 CROWTREES BROW

Chalfourn

Clitheroe

Lancs Postcode BB7 4AA

Year of Birth 20 - 08 - 45

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

35 yrs at address above

15 yrs darkwood cresc. Chalfourn

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

☒ As a footpath (public rights on foot only)

☐ As a bridleway (public rights on foot and on horseback or bicycle)

☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)

☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

Footpath behind 10-15 cypress trees brow house - over the stile walk on side about 20ft of large tree Diagonal line in front of the (Then) bushes and behind cypress trees house towards castle Quarry then to kissing gate which has been used by us for 50 yrs

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1971 To 2021

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

about 5 yrs ago path altered while hare hill been built but still used kissing gate

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot				✓		
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

...for...pleasure...and...down...to...darkwood...
and...the...river.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
(b) on horseback
(c) on bicycle/horse-drawn vehicle
(d) with motorised vehicle
(e) other, please specify

✓

6. Were they using exactly the same route as you? ☒ YES

☐ NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....

.....

.....

.....

6. Has the application route always followed the same course?

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

...about 1yd.....

.....

.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

...grass.....

.....

.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

.....Style.....behind.....10-18.....~~at~~ CrowTree.....
.....Brow houses.....
.....

How long were they in place?

.....as long as we have known.....
.....and walked the path.....
.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

.....Farmers gate down from kissing gate.....
.....Kissing gate been there at least 50yrs.....
.....and used by us.....
.....

c. Other barriers [state what they were and location, how long they were in place and show on your map]

.....only when the developer put a style.....
.....and gate near castle quarry.....
.....

10. Did any of the above prevent you from using the application route?

☒ No

☐ Yes

If yes, please give details

.....
.....
.....

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☒ No

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

Ramblers – Duke of Edinburgh young people

Residents of Chaburn - dog walkers. This route used by walkers to carry on down through parkwood to the river Ribble.

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

We have spoken to numerous walkers all along this footpath for over 50 yrs.

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....
.....
.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☐ No

☒ Yes

If yes – please provide details

Have enclosed photos 1-2-3 show centre of old quarry where house built before the developer took trees down.

4-5-6 are when trees-bushes taken down. 7. View from our house where the footpath originally went - 8-9-10 Showing dip. ground conditions and arrowed for footpath. 7

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

The developer has illegally now moved the footpath

Shut the kissing gate - for his own gains of building further houses - which the ¹⁰₈₇ original footpath would be through his proposed development

The path always went round the
quarry as it was unsafe to be ever
used to go through it.

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

☐ No













up to the kissing gate





HISSING
GATE





PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name PETER WELLS

Address 7, OLD ROAD

CHATBURN

CLITHEROE

Postcode BB7 4AB

Year of Birth 1951

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

NO

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☒ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

From the metal kissing gate at the top of Old Road, along close to the fence of the quarry and then cutting across the field grass to the end of the wall owned by Hanson and from that route round the trees and uneven ground in the middle of the field down to the opening on to Gow Trees Brow.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From *1994* To *temporarily until the route was redirected due to building development works. Approximately 4 years ago.*

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

No.

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	⁸⁰ ✓	✓	✓			
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

Pleasure and exercise.

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
 (b) on horseback
 (c) on bicycle/horse-drawn vehicle
 (d) with motorised vehicle
 (e) other, please specify

✓

6. Were they using exactly the same route as you? **YES** ✓ **NO**

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

- ☒ Yes
☐ Don't know
☐ No

If no – how and when was the route altered?

.....
.....
.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

An open field with easy access to pass others until the development limited access width with Heras fencing
.....
.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

grass
.....
.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

Only the one installed by the developer

How long were they in place?

Still in place since about 3 years ago

b. Gates [state locations, indicate whether locked – and when - and show on your map]

c. Other barriers [state what they were and location, how long they were in place and show on your map]

10. Did any of the above prevent you from using the application route?

☒ No

☐ Yes

If yes, please give details

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☐ No

☒ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

Official footpath arrow sign on timber post by the kissing gate
and on the telegraph pole on Crow Trees Brow

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

Local people, dog walkers and rambling groups

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☐ No

☒ Yes

If yes – please provide details

Aerial photo taken in 1990 shows well trodden path up to the wall owned by Hanson Cement. The footpath from Crow Trees Brown to the kissing gate is not clear because it was across open field with various agricultural uses.

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?
[Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

See Image (A). Shows how the top footpath has been used and still continues...

See Image (B). An aerial photo of the site with the new buildings which have all been finished. A new unofficial ¹⁰footpath has been installed following a

[to p11]

from
p10 → route behind the new houses but it should be re-instated in the route
which has always been used as per the red line on the map.....
See Image (C) Shows how the new unofficial footpath has been laid.

.....

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☐ Yes

☒ No

P.W. Wells 28/4/21.

Chatburn

Chapel
Laith



Lane

Sc

green
line never used
route

metal
kissing
gate

timber
stile
installed
by development
works

OLD RD.

Trees
& uneven
ground

ROAD
BROW

RO

fence
owned by
owner of field

wall
belonging
to Hanson
Chatburn
Nature
Reserve

Works

Th



Aerial photograph taken in 1990.

A.



Route of footpath across the top of the field from the metal kissing gate to the wall by the woodland.



C.

New unofficial
footpath installed
at the back of
the new
houses.



PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name PAUL A WHITTAKER

Address 8 ST CHADS AVENUE

CHATBURN

CHITHEROE

LANCS Postcode BB7 4AN

Year of Birth 1954

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

21 & 24 DOWNHAM ROAD CHATBURN

CHITHEROE LANC'S

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☒ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

.....

.....

.....

.....

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From1970..... To2021.....

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

.....

.....

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot				✓	✓	
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

..... PLEASURE

.....

.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
- (b) on horseback
- (c) on bicycle/horse-drawn vehicle
- (d) with motorised vehicle
- (e) other, please specify
-

✓

6. Were they using exactly the same route as you? ☒ YES

☐ NO

If not please give provide details below: (please attach a separate sheet is necessary)

SOMETIMES PEOPLE USED AWAY FROM THE ROUTE

.....
.....
.....
.....

6. Has the application route always followed the same course?

- ☐ Yes
☒ Don't know
☐ No

If no – how and when was the route altered?

.....
.....
.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

..... ABOUT 2 YARDS

.....
.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

..... GRASS / EARTH

.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

.....YES.....
.....
.....

How long were they in place?

.....MANY YEARS.....
.....
.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

.....
.....
.....

c. Other barriers [state what they were and location, how long they were in place and show on your map]

.....
.....
.....

10. Did any of the above prevent you from using the application route?

☒ No

☐ Yes

If yes, please give details

.....
.....
.....

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☒ No

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....
.....
.....

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

..... CASUAL WALKER
.....
.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....
.....
.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....

.....

.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way? [Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

THIS ROUTE HAS BEEN A FOOTPATH & SIGNED AS SO.....

.....

.....
.....
.....
.....

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

☐ No

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ROSE MARSDEN

Address 13 RIBBLE LANE

CHATBURN

CLITHEROE

LANCS

Postcode BB7 4AG

Year of Birth PREFER NOT TO SAY -

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

NO I HAVE LIVED AT MY CURRENT ADDRESS

FOR 40 YEARS

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☒ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

FROM OLD ROAD THROUGH KISSING GATE, ALONG FENCE
TO JOIN THE PATH DOWN THE FIELD TO CROW
TREES. BROW OVER 2 STILES, 1 TEMPORARY.
.....

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 2006 To PRESENT DAY 2021

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

SOME GAPS - NOT EXTENDED PERIODS
.....
.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	✓	✓	✓			(VARIABLY OVER TIME)
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

QUIET ENJOYMENT AND DOG WALKING (MY OWN DOG(S))

.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
- (b) on horseback
- (c) on bicycle/horse-drawn vehicle
- (d) with motorised vehicle
- (e) other, please specify

✓

.....

6. Were they using exactly the same route as you?

YES

✓

NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

☒ Yes - During the years in which I've been using it

☐ Don't know

☐ No

If no - how and when was the route altered?

.....
.....
.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

..... APPROX 1 metre

.....

.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

..... NATURAL PATHWAY FORMED BY FOOTFALL / USAGE OVERTIM

..... SOME PARTS STONY / EARTH, SOME GRASS, ~~MADE~~ ^{MADE}

..... PATH DELINEATED BEHIND HOUSES ON CROW TREES BROW

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

.....STILES.....

.....

.....

How long were they in place?

.....

.....

.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

.....

.....

.....

c. Other barriers [state what they were and location, how long they were in place and show on your map]

.....

.....

.....

10. Did any of the above prevent you from using the application route?

☒ No

☐ Yes

If yes, please give details

.....

.....

.....

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☒ No

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....
.....
.....

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

I find the route ~~generally~~ quiet and peaceful. It is quite often not heavily used, but I do ~~regularly~~ see individuals, pairs/couples or small family groups coming through one of the stiles.

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....
.....
.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....

.....

.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?
[Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

.....

.....

.....

.....

.....

.....

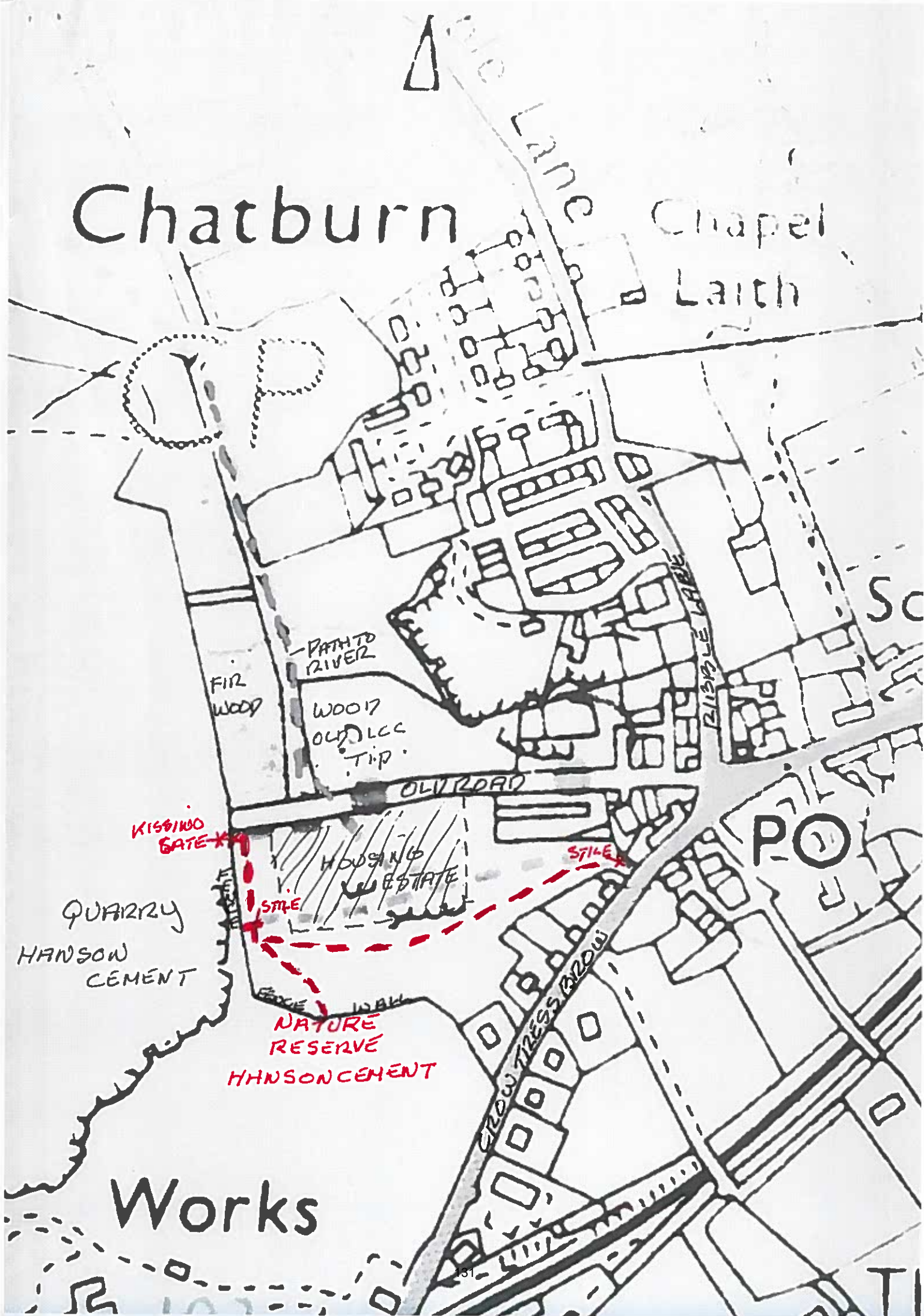
21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

- ☒ Yes
- ☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

- ☒ Yes
- ☐ No

Chatburn



Chapel

Laith

Sc

PO

Works

Public Right of Way User Evidence Statement

Revised April 2018

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential.

- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ROY JAMES PORTER

Address 30 VICTORIA COURT
CHATBURN
LANCS

Postcode BB7 4BF

Year of Birth 1946

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

49 RIBBLE LANE CHATBURN 1950 - 1968 16 VICTORIA AVE CHATBURN
1975 - 1986, 59 BRIDGE RD CHATBURN 1986 - 2018

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☒ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

ORIGINALLY FROM THE METAL KISSING GATE ON CROW TREES BROW...
 REPLACED BY A STILE AFTER THE CONSTRUCTION OF "HIGH BEECHES" IN A
 DIAGONAL LINE TO THE METAL KISSING GATE AT THE TOP OF CHATBURN
 OLD ROAD (ROUTE NOW OBSCURED BY HOUSING)

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1956 To UNTIL PATH WAS DIVERTED BY HOUSING DEVELOPER C 2015/16

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

FROM 1968 TO 1975 - I LIVED IN GISBURN

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot				✓		
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

PLEASURE, DOG WALKING.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
- (b) on horseback
- (c) on bicycle/horse-drawn vehicle
- (d) with motorised vehicle
- (e) other, please specify

✓

.....

6. Were they using exactly the same route as you?

YES

NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

- ☐ Yes
- ☐ Don't know
- ☒ No

If no – how and when was the route altered?

WAS ALTERED BY HOUSING DEVELOPER circa 2018 TO
DIVERSE PATH TO EDGE OF FIELD TO PROVIDE MAXIMUM AMOUNT
OF SPACE FOR HOUSES

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

2 METRES WOULD SUFFICE

.....
.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

GRASS

.....
.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

⑤ PUT IN CIRCA 1990-2000 FOLLOWING BUILDING OF HIGH BEECH
HOUSE, CROW TREES BROW AT REAR OF 14 C.T. BROW
STILE ② PUT IN BY DEVELOPER APPROX 50 YDS FROM OLD RD

How long were they in place?

⑤ 20(ISH) YRS
② LESS THAN 1 YR

b. Gates [state locations, indicate whether locked – and when - and show on your map]

X ON CROW TREES BROW - OPEN ALWAYS - FROM PRE 1950S TO
BUILDING OF HIGH BEECH HOUSE
X
→ TOP OF OLD ROAD - ALWAYS OPEN FROM PRE-1950S TO APRIL 2021

c. Other barriers [state what they were and location, how long they were in place and show on your map]

10. Did any of the above prevent you from using the application route?

☐ No

☒ Yes

If yes, please give details

FROM USING ORIGINAL ROUTE →

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☐ No

☒ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

PUBLIC FOOTPATH SIGN ON C.T. BROW & TOP OF OLD ROAD

.....
.....

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

Have seen many villagers over last 60 years
Have walked as part of CLITHEROE RAMBLERS GROUP

.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....
.....
.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

☐ No

☒ Yes

If yes, please give details including when this happened

A number of villagers have

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☒ No

☐ Yes

If yes – please provide details

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way? [Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

IT IS VITAL THAT THE CURRENT ROUTE MARKED  IS AN ESTABLISHED RIGHT OF WAY ALONG WITH A CONNECTING

PATH MARKED - - - - - TO A RE-OPENED GATE + RIGHT
OF WAY TO NATURE RESERVE

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

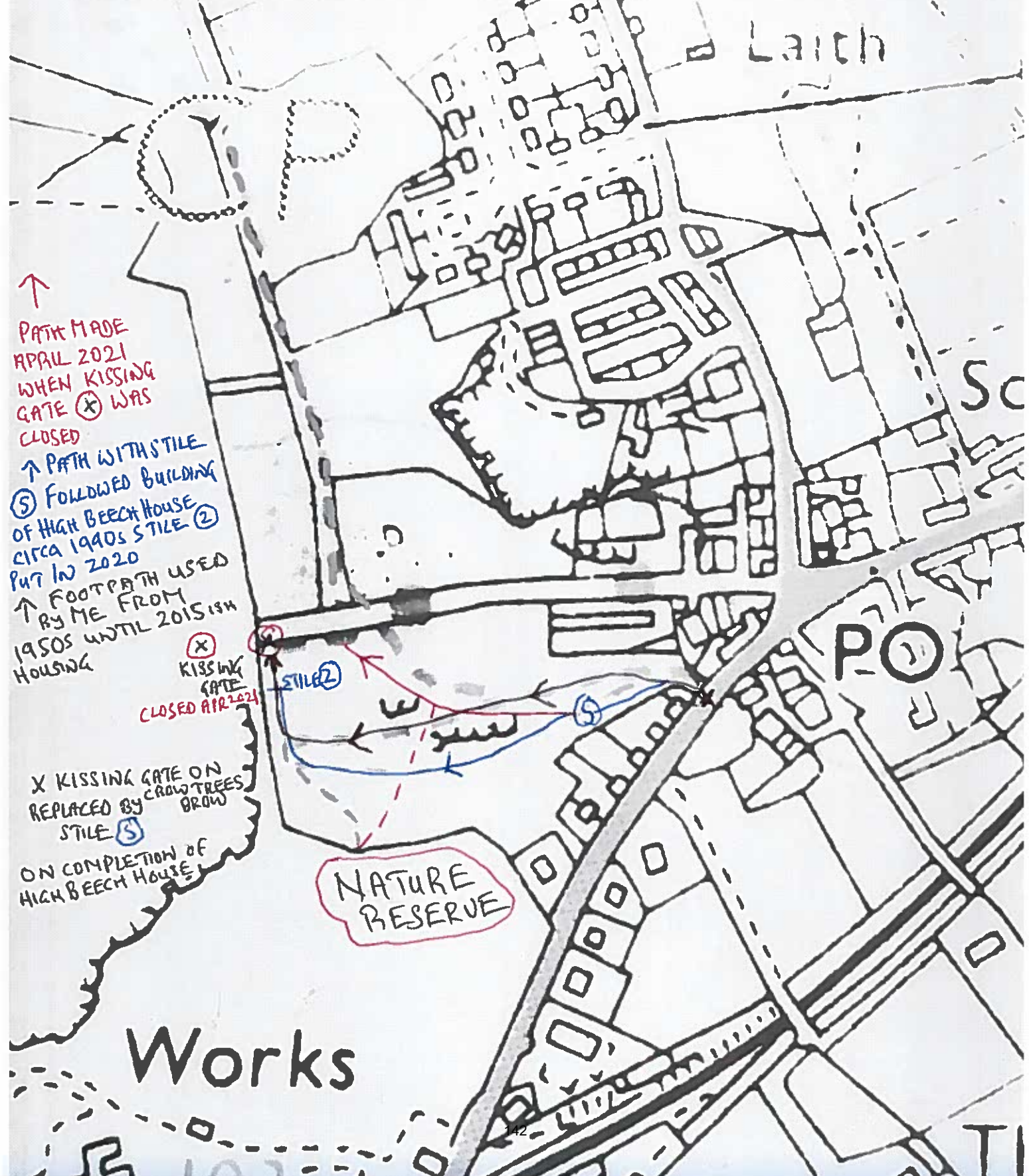
☐ Yes

☐ No

ROY PORTER

Chatburn

Chapel
Laith





Public Right of Way User Evidence Statement

Revised April 2018

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- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name RICHARD MARTIN SEDDON

Address 3 MOUNT PLEASANT

CHATBURN

CLITHEROE

Postcode BB7 4AF

Year of Birth 1957

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

No

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☒ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.)

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".
- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

Starts at SD76454404. Runs alongside the hedge and meets the boundary of the nature reserve at SD76704392. Then returns approx 3m back into the field and follows a direct line to its end at SD76484402.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 2000 To 2021

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

No

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		✓				
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

..... Family walking and later dog walking.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
 (b) on horseback
 (c) on bicycle/horse-drawn vehicle
 (d) with motorised vehicle
 (e) other, please specify

✓

.....

☐

6. Were they using exactly the same route as you?

☒ YES

☐ NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....

.....

.....

.....

6. Has the application route always followed the same course?

☒ Yes *see below.*

☐ Don't know

☐ No

If no – how and when was the route altered?

It has for me but I am aware that the access to the nature reserve has not always been in the current location.

.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

1m path through open grassland.

.....

.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

Grass.

.....

.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

① Shown in blue on map - temporary

② Kissing gate at start of path

③ Stile and finish of path

How long were they in place?

① During the footpath diversion period once site fencing was erected by the landowner/developer. (Photos RMS-3 + RMS-4)

②③ All the time I've used the path.

b. Gates [state locations, indicate whether locked – and when – and show on your map]

Entry to the nature reserve for a short period during the footpath diversion. Later nailed up, then removed and soil and tree trunks dumped to block it.

c. Other barriers [state what they were and location, how long they were in place and show on your map]

Site fencing, soil, logs etc. to block entry to nature reserve
Photo RMS-1, RMS-2

10. Did any of the above prevent you from using the application route?

☒ No

☐ Yes

If yes, please give details

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", "No Right of Way", "Trespassers will be Prosecuted")

☒ No see below.

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

The sign shown on the photo RMS2 actually refers to the quarry site immediately adjacent to the footpath which is the subject of this form. It is NOT the landowner's sign.

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

This is a well known and well used route from the Ribbles Way to Chatburn and the nature reserve. I have never seen anyone use the RMS2 footpath 13 between Old Ford and the boundary of the Nature Reserve.

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....
.....
.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☐ No

☒ Yes

If yes,

a. From whom? JJ Construction (NW) Ltd.

b. When? A sign was erected (see photo RMS-5, RMS-6)

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

☐ No

☒ Yes

If yes, please give details including when this happened

Approximately one week ago when the footpath 13 diversion was lifted and the footpath reopened (along an incorrect route). Site fencing blocked the start of the path. This has currently been removed. (RMS-7)

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☐ No

☒ Yes

If yes – please provide details

① Aerial photographs. See photos RMS-8 and RMS-10
Both show signs of foot traffic in the area under question
② Screen shot from LCC Mapbox showing line of path. RMS-8

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

This footpath has been in use for many years as evidenced by the age of the kissing gate at its start. The west-east portion lies through with a much longer path which has been lost due to quarrying but which indicates its true position. (see

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

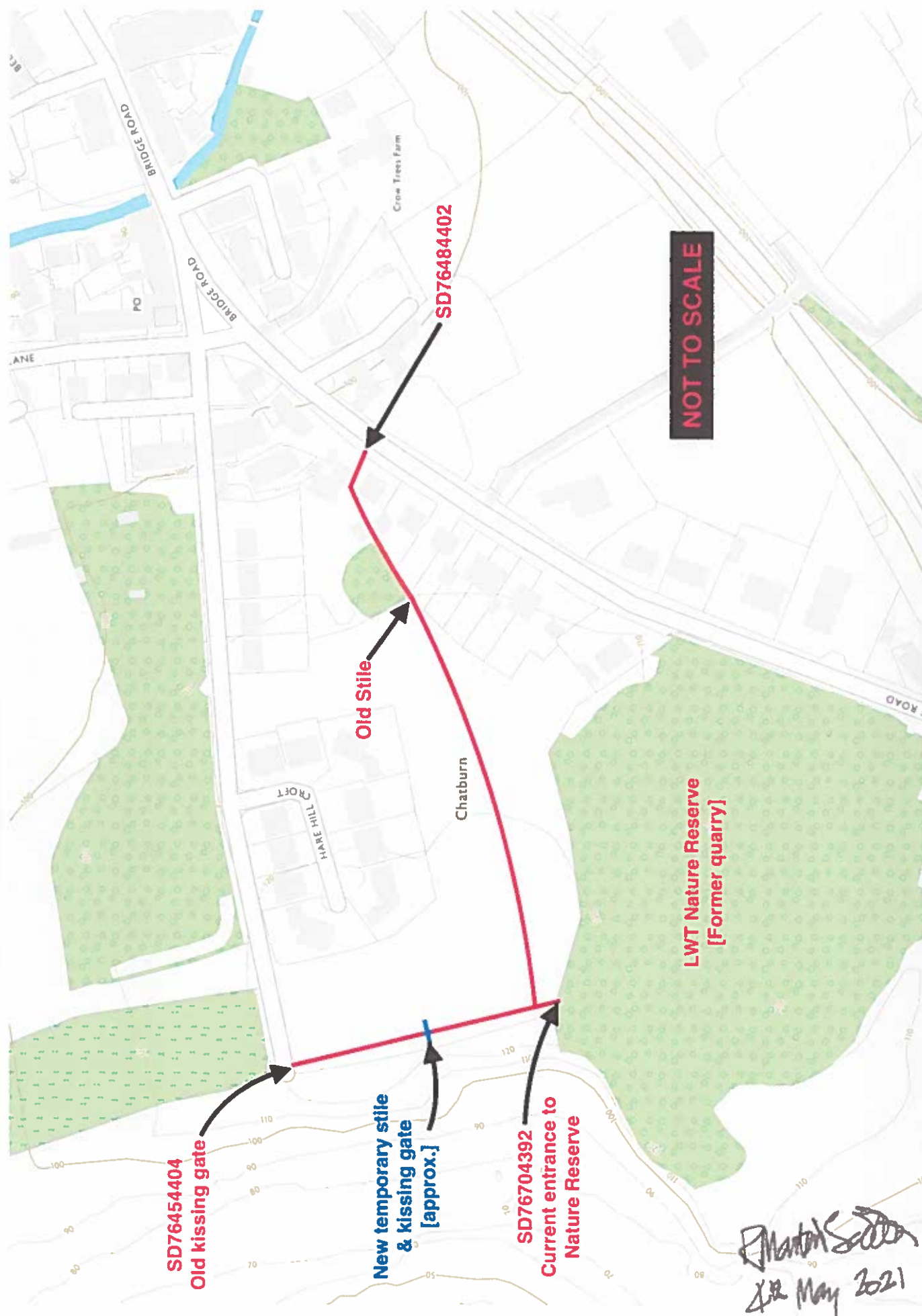
☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

☐ No





RMS-1. Taken 15th June 2018



RMS-2 Taken 15th June 2018



RMS-3 Taken 28th June 2018



RMS-4 Taken 28th June 2018



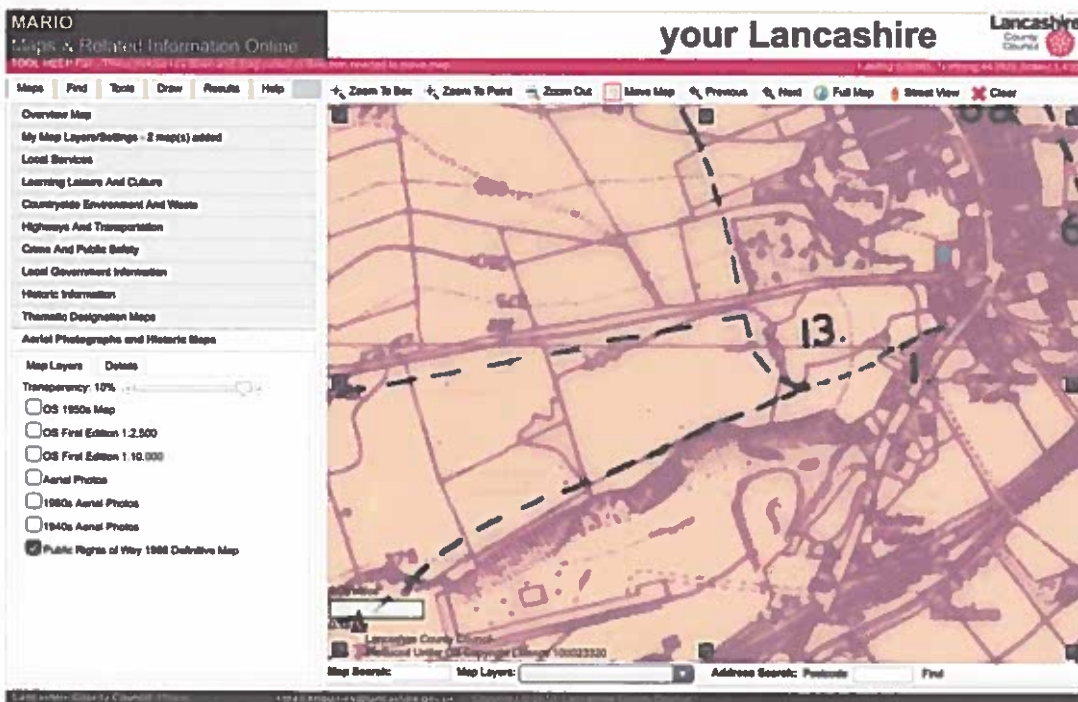
RMS-5 Taken 13th October 2018



RMS-6 Taken 13th October 2018



RMS-7 Taken 25th April 2021

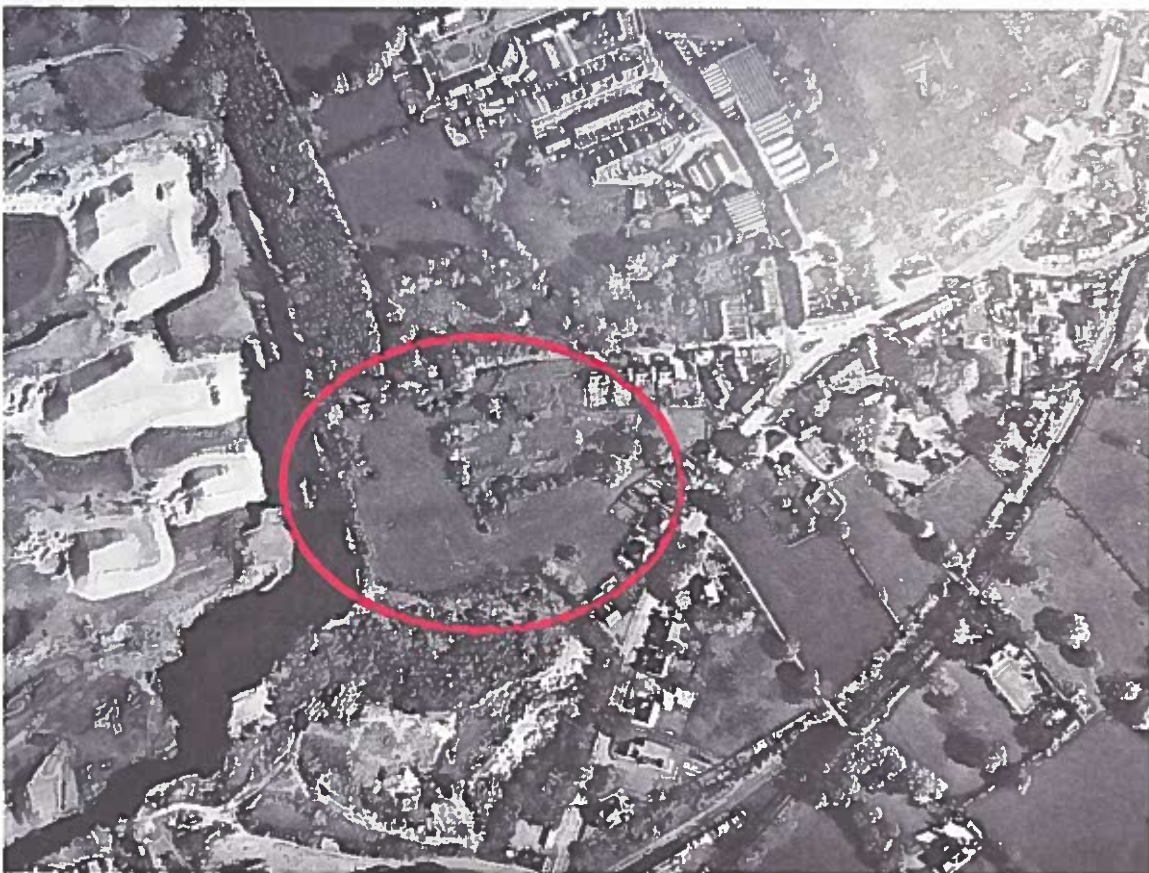


RMS-8

Screen shot from LCC Mario definitive map showing Footpath 13 meeting the line of the former path from the west (current map but old data).



RMS-9
Aerial photograph 1968



RMS-10
Aerial photograph 1987

Public Right of Way User Evidence Statement

Revised April 2018

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This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

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PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

SHELAGH KEARSELEY

Address

14 GROW TREES BROW

CHATBURN

Postcode BB7 4AA

Year of Birth

1961

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

1984 to 2001 DARKWOOD CRESCENT

CHATBURN

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☒ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

From the stile behind 16/18 Crow Trees Brow, the path went below a line of trees then diagonally up across the field to the missing gate @ the top of Old Road - see route on attached plan.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From ...1984..... To ...Present.....

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

...2001 to 2008 moved to Clitheroe.....

.....

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot			✓			
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

PLEASURE.....- REGULAR.....WALKING.....ROUTE.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
 (b) on horseback
 (c) on bicycle/horse-drawn vehicle
 (d) with motorised vehicle
 (e) other, please specify

✓

.....

6. Were they using exactly the same route as you? YES ✓

~~NO~~

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

☒ Yes - See note

☐ Don't know

☐ No

If no – how and when was the route altered?

When the developer first fenced the site off,
it altered the route slightly - we were unable
to walk diagonally across to the kissing gate
at the top of Old Road

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

Approximately 1 metre wide across the field -
narrow section between garden fences on
section from Crow Trees Brow to the first stile

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

GRASS.....
.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

Stile behind 16/18 Crow Trees Brow.....

y New stile + kissing gate installed by.....
developer - not sure of date.....

How long were they in place?

1st stile as long as we've known.....

New stile soon after commencement of.....
building works.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

Kissing gate where path exits onto.....

the top of Old Road Farmers gate.....

adjacent to kissing gate.....

c. Other barriers [state what they were and location, how long they were in place and show on your map]

See note @ section a above re new stile

+ kissing gate. Recent fence erected by

developer blocking the course of the route.
It is not possible to get past this new fence

10. Did any of the above prevent you from using the application route?

☐ No

☒ Yes

If yes, please give details

The new fence blocks the route completely

.....

.....

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☒ No

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....
.....
.....

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

..... OTHER..... WALKERS..... USING THE PATH.....
RAMBLERS,..... DOG..... WALKERS,..... YOUTH GROUPS.....
.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....
.....
.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....

.....

.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☐ No

☒ Yes

If yes – please provide details

I have photos of public footpath signs at each end of the route, the new stile & kissing gate and the new fence blocking the path.

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way? [Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

The original route went below a line of trees then diagonally across the Field, to the outer edge of the quarry.

The building site fencing prevented using the diagonal line but keeping to the outside of the fence, the path still ended @ the top of Old Road

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

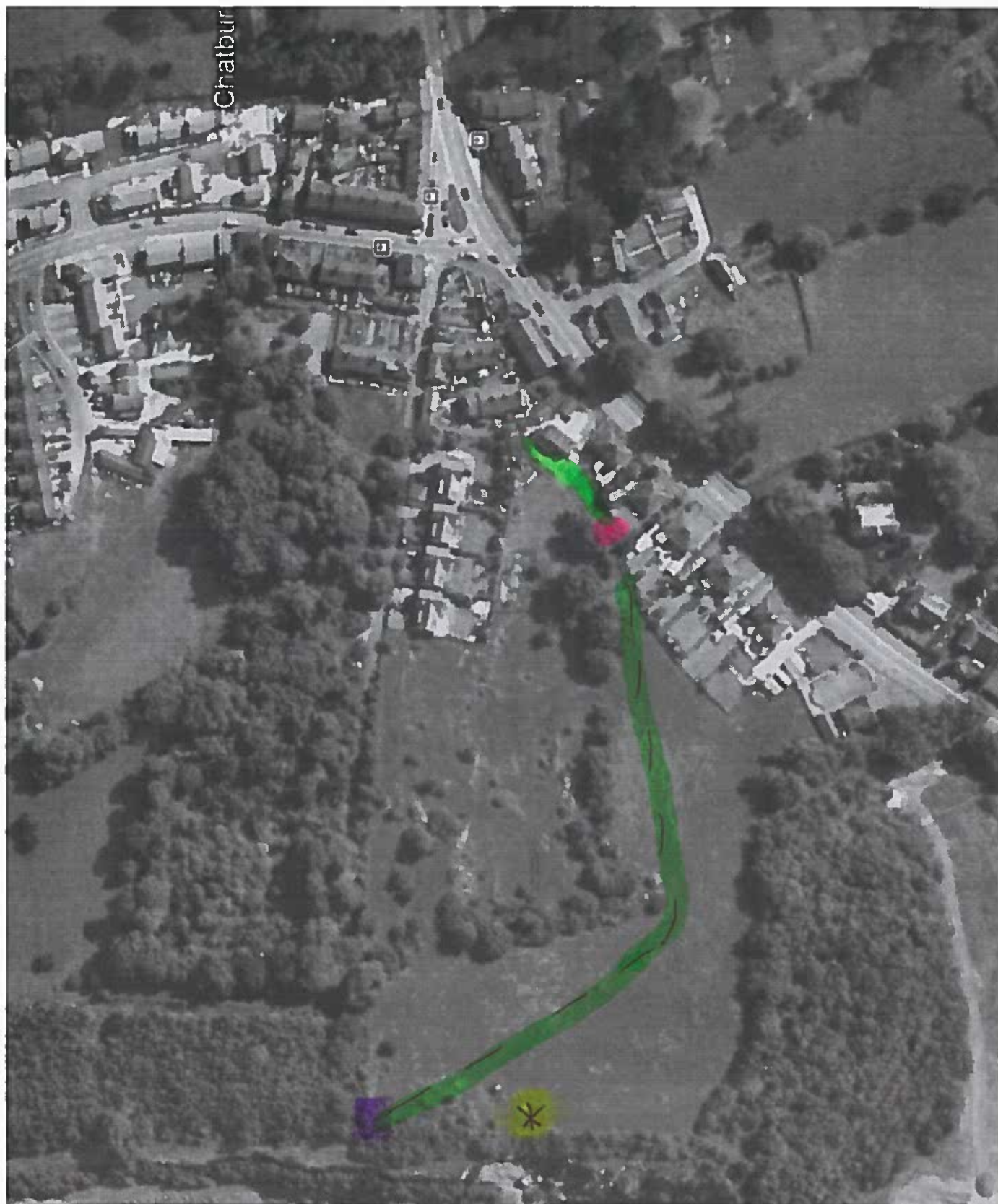
☒ Yes

☐ No

→ we have used this route for many years and believe it to be a public right of way and it is indeed signposted as such at either end of the route.

The developer has erected a fence that completely blocks the path and diverts walkers through the new development exiting much lower down Old Road. This route has never previously been used by me or my family as it would have gone through old quarry workings.

SK



stile

* New stile+kissing gate

SK

original path

kissing gate

4-5-2021



MISSING
GATE

Public Right of Way User Evidence Statement

Revised April 2018

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This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

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PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Samantha Marshall

Address 22 Crow Trees Brow
Chatburn, Clitheroe
Lancashire
BB7 4AA Postcode BB7 4AA

Year of Birth 1970

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☒ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

I enter the footpath via house number 14, Crow Trees Brow following the perimeter hedgeline around the field to the wrought-iron kissing gate (in the opposite diagonal corner).

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 2003 To 2021

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

NO

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	✓					
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

..pleasure.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
- (b) on horseback
- (c) on bicycle/horse-drawn vehicle
- (d) with motorised vehicle
- (e) other, please specify

✓

.....

6. Were they using exactly the same route as you?

YES

NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....

.....

.....

.....

6. Has the application route always followed the same course?

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

10 metres (approx)

.....

.....

.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

grass

.....

.....

.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

yes, one stile.

How long were they in place?

always

b. Gates [state locations, indicate whether locked – and when - and show on your map]

missing gate - unlocked

c. Other barriers [state what they were and location, how long they were in place and show on your map]

No

10. Did any of the above prevent you from using the application route?

☒ No

☐ Yes

If yes, please give details

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☒ No

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....

.....

.....

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

other local chatburn residents.

.....

.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....

.....

.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☐ No

☒ Yes

If yes – please provide details

a photo and OS map photocopy
↳ see attached.

.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?
[Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

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21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☐ Yes

☒ No

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