

**THE LANCASHIRE COUNTY COUNCIL DEFINITIVE MAP AND STATEMENT OF
PUBLIC RIGHTS OF WAY**

**THE LANCASHIRE COUNTY COUNCIL
ADDITION OF FOOTPATH FROM CHATBURN OLD ROAD, CHATBURN
DEFINITIVE MAP MODIFICATION ORDER 2022**

WITNESS STATEMENT OF

ROY JAMES PORTER

1. My name is Roy James Porter and I live at 30 Victoria Court, Chatburn, Lancashire BB7 4BF. From 1950 to 1968, I lived at 49 Ribble Lane, Chatburn; from 1975 until 1986, I lived at 16 Victoria Avenue, Chatburn and from 1986 until 2018, I lived at 5-9 Bridge Road, Chatburn.
2. I was born in 1946 and have lived and/or worked in Chatburn all my life. I worked at the village butchers which bears my name from 1960 -1985 as an employee/latterly, a partner, from 1985-2017 during which period I owned the business until selling it in 2017. The shop is located on Bridge Road in Chatburn and since selling the shop I still work there on a part time/when needed basis.
3. I completed a user evidence form in 2021 confirming my usage on foot of the route that originally ran from the metal kissing gate on Crow Trees Brow. This was replaced by a stile after the construction of 'High Beeches' (at the start of the footpath labelled as 3-11-FP 1 on the Order Map) and I described the footpath that I used as running in a diagonal line to the metal kissing gate at the top of Chatburn Old Road (point B on the Order Map). I refer to the route in question as "the Path". I believe it to be a footpath.
4. I have known the field crossed by the Path all my life. I can even remember a football pitch on it as a child.

5. I marked up a plan which was attached to my User Evidence Form showing the route that I walked. Having now had the opportunity to see the route shown on the Order Map I can see that there are some differences in what I walked and what is shown as the route on the Order Map.
6. The route I took crossed a rough field and I didn't walk it often (possibly once every few months). I probably took whatever route seemed the most straightforward.
7. I would walk along Chatburn Old Road and would use the metal kissing gate at point B on the Order Map. I thought of this as 'the official' gate giving access to the path.
8. The route I took across the field differed to a large extent from the Order route and went more diagonally across the field. I think I have probably walked the Order route along the top fence adjacent to the quarry (B-C) and then down to Crow Trees Brow as shown on the Order Map but I couldn't say how often, when or with certainty. My memories are more from childhood playing on the field.
9. I continued to walk the route across the field until the landowner erected fencing around the development site in 2016. From that time onwards it was necessary to walk the Order route B-C-D.
10. I am a member of the Clitheroe Group of the Ramblers Association and I know that they have organised walks that went across the field. My recollection is that we walked around the perimeter of the field.
11. I never used the Path secretly and mostly walked along it in daylight. As an adult I would use the Path for pleasure and dog walking every few months on foot.

12. I never asked for nor was given permission to walk along it. It never occurred to me that the Path was not a public footpath as I had always seen other people on the field and so I never thought that permission was required.

13. I do not recall seeing any signs or notices indicating that the Path was private and access to the public was not permitted. There was a Public Footpath sign on Crow Tree Brow and at the top of Chatburn Old Road.

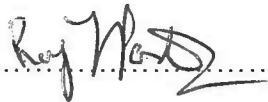
14. I never encountered the landowner on any occasion when I was walking along the Path and I was never challenged, stopped or turned back when using it, but I have been told that a number of villagers have been prevented from using the route although I have no further details. I never had any private right of my own to use the Path.

15. I can confirm that I have never been employed by any of the owners of the land over which the Path nor been a tenant of theirs. I do know the landowner however as we both grew up in the village.

STATEMENT OF TRUTH

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

Signed:



Date:

27 September 2024