

**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
DAVID STRATTON**

1. My name is David Stratton and I live at 2 Mount Pleasant, Chatburn, Clitheroe, Lancashire BB7 4AF. I have also lived at the ~~Old~~ Post Office, Chatburn. I was born in 1961 and I have lived in Chatburn all my life.
2. I have known and used the route which is the subject of this Order from the 1960s through to it being blocked off in 2021.
3. Prior to development taking place I remember the field crossed by the Order route being grazed by cows, sheep and horses. The field was undulating with areas of trees and shrubs, and I remember an old quarry area where we played as children.
4. I completed a Public Rights of Way User Evidence Statement in May 2021 when access along the Order route was blocked at a wrought iron kissing gate at the top of Chatburn Old Road (point B on the Order Map). This Witness Statement gives more detailed evidence of my own personal use and knowledge of the Order route.
5. When the application to record the Order route was originally made I was not aware that part of Chatburn Old Road was no longer recorded as a public road. My User Evidence Statement did not specifically refer to use of Chatburn Old Road (A-B) but I can confirm that I used it on foot to access the

rest of the Order route and that the information provided in the User Evidence Form – and this Witness Statement - refers equally to that part of the Order route as to the rest.

6. Before 2021, I had never known the Order route to be blocked off. I had used the route since the 1960s and when I found out that it was not recorded as a public footpath I thought it should be properly recorded and opened again.
7. In my User Evidence Form I confirmed my usage on foot of the Order route. I described the route that I used as starting at the top of Chatburn Old Road on the left-hand side. Entry to the path was through a wrought iron kissing gate. The path was well trodden, if undulating, following the line of the wire fence which separated the field from the quarry. I described the path as following the fence where there was a well-worn path which continued in a straight line. Just before the fence/wall turned (point C on the Order Map) you turned left away from the fence. There was a Nature Reserve was on the right and a gateway into the Nature Reserve had existed for a short time which could be accessed from the Order route. The Order route itself continued down the field on a well-trodden path towards two large mature trees. Passing the trees on your left, you continued to a kissing gate in the bottom corner of the field. The route then then followed a narrow path between the rear gardens of Crow Tree Brow houses and High Beech House.
8. I walked along the Orde route between 1969 and 2021, and there was unrestricted access along the full length of the Order route. There was a wooden stile erected when building commenced on the site now known as Harehill Croft in 2017 (approximately) as shown on the map I attached to my User Evidence Form. I do not recall any other gates or barriers other than the metal kissing gate at the top of Chatburn Old Road. I was never prevented from using the Order route until it was blocked in 2021.
9. I never used the Order route secretly. I mostly walked it in daylight. I frequently passed other walkers using the route particularly when there was

access into the Nature Reserve. I would use the Order route for pleasure on foot.

10. I often used the Order route daily, particularly as an adult as we had dogs, and I would use the route as part of a regular circuit. Sometimes I would use the entrance into the Nature Reserve to make my walk longer and often I would use the Order route to walk to see my parents who lived on Crow Trees Brow.

11. I never asked for nor was given permission to walk along the Order route. It never occurred to me that this route was not a public footpath as I had always seen other people walking along it and so I never thought that permission was required. The Order route always followed the same route.

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

13. I never encountered the landowner on any occasion when I was walking along the Order route and I was never challenged, stopped or turned back when using it. I saw others and none of them ever told me that I shouldn't be walking along the route. I never had any private right of my own to use the Order route. I am not aware that anyone else told the route was not public.

14. Since I completed the User Evidence Form in 2021, my use of the Order route has stopped due to the kissing gate being blocked off.

15. I can confirm that I have never been employed by any of the owners of the land over which the route runs nor been a tenant of theirs.

16. In summary, I regularly walked the full length of the Order route for 52 years from 1969 to 2021.

STATEMENT OF TRUTH

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

Signed: ASmith

Date: 25-9-24