

9. COPIES OF REPLIES TO PRE-ORDER CONSULTATIONS AND OMA'S RESPONSES

No.	RESPONSE	ADDRESS
1	Karl Wynn Taylor	[REDACTED] [REDACTED]
2	David Kelly Mid Lancs Area - Area Footpath Secretary The Ramblers Association	[REDACTED]
3	Mr J C & Mrs GK Thompson	[REDACTED]
4	Tarleton Parish Council Clerk	[REDACTED]

From: [REDACTED]
To: [Sadiq, Ansar](#)
Subject: Your Ref LSG4.AS002.894.18035
Date: 16 April 2024 16:43:35

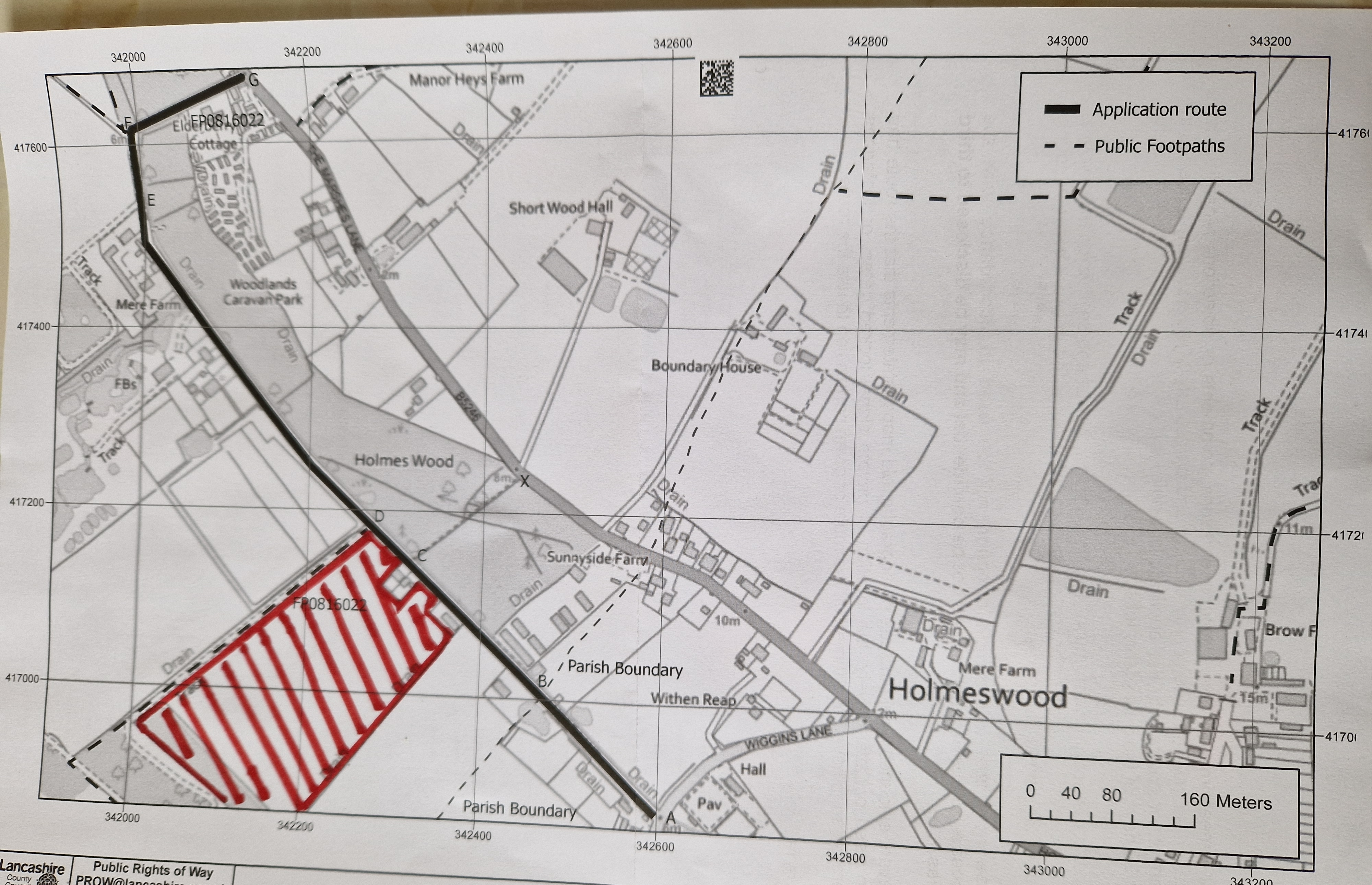
You don't often get email from karenwtaylor65@gmail.com. [Learn why this is important](#)

Dear Ansar

With reference to your letter dated 11th April, to my brother, Karl Taylor, 1 Rufford Cottages, Holmeswood Road, Holmeswood, Ormskirk, please find attached copy map with Karl's property marked in red.

Any future correspondence can be forwarded to this email address as Karl does not use one.

Karen Taylor (On Karl's behalf)



Lancashire
County Council
Public Rights of Way
PROW@lancashire.gov.uk
01772 530317

Wildlife and Countryside Act 1981
Upgrade and addition of Restricted Byway along Mere Lane, in the parishes of Rufford and Tarleton

1:5,000



The digitised Rights of Way information should be used for guidance only as its accuracy cannot be guaranteed. Rights of Way information must be verified on the current Definitive Map before being supplied or used for any purpose.
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From: [DAVID KELLY](#)
To: [Sadiq, Ansar](#)
Subject: Fwd: Fw: Dmno - Mere Lane, Tarleton (894.18035)
Date: 21 April 2024 22:18:28
Attachments: [Mere Lane Consultation Plan.pdf](#)
[Ltr - Consult Undertakers.pdf](#)

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www.ramblers.org.uk

Dear Mr Sadiq,

This email has been forwarded to me, It would be logical for the whole of Mere Lane to be recorded as a public footpath. It is noted that the claim is for a restricted byway. This prompts the question as to who is making the claim, and what evidence have they supplied ?

I can arrange for an article to be circulated in the local RA asking for user evidence on foot for the parts A-D and D-F, for that is the only way that Tarleton FP 22 can sensibly be used.

Have others supplied historical evidence ? I do not want to duplicate what others have already done.

I presume that this DMMO going to be considered by Regulatory Committee. If so, has it been decided when ?

Regards

David Kelly

Mid Lancs Area - Area Footpath Secretary


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Sent: Wednesday, April 17th 2024, 11:32
Subject: Fw: Dmno - Mere Lane, Tarleton (894.18035)

Hi David

ANother couple of attachments for you here- consultation at Tarleton.

Kind regards,

Martin Davies

Paths Team Support Volunteer

The Ramblers

From: Sadiq, Ansar <ansar.sadiq@lancashire.gov.uk>

Sent: Thursday, April 11, 2024 4:58 PM

Subject: Dmmo - Mere Lane, Tarleton (894.18035)

Dear Sirs

Please see attached,

Kind regards

Ansar Sadiq

Paralegal Officer

Legal and Democratic Services

Lancashire County Council

01772 532435

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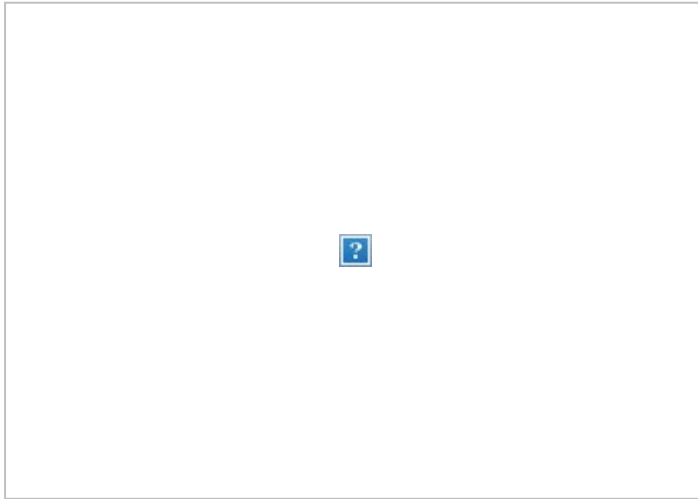
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From: [Elliott, Jayne](#)
To: [REDACTED]
Cc: [Sadiq, Ansar](#)
Subject: FW: Fwd: Fw: Dmno - Mere Lane, Tarleton (894.18035)
Date: 30 April 2024 09:34:17
Attachments: [Applicant Appendix B.pdf](#)
[Mere Lane Consultation Plan.pdf](#)
[Ltr - Consult Undertakers.pdf](#)
[Application for Mere Lane, Tarleton.pdf](#)
[Appendix A.pdf](#)

Hello Mr Kelly,

Your emails relating to the consultation letter received by the Ramblers Association into the application made to record Mere Lane at Holmeswood as a Restricted Byway have been passed to me.

The application was made by the Open Spaces Society and has been given the reference 807-770.

A copy of the application is attached.

With regards to your specific questions the evidence submitted is both historical map and documentary evidence and more modern user evidence.

Whilst the application has been made for a Restricted Byway the application is being investigated thoroughly by the County Council and as you should be aware depending on the evidence the Officer recommendation may be to make an order to record footpath, bridleway or restricted byway rights - or not to make an order at all.

If an order is made for the route to be recorded as a restricted byway then there is no need to make any separate application for a public footpath because the public would have a right of access on foot already so I am confused as to why you are asking if you need to make a separate application for a footpath over the route A-D-F.

If the County Council do not think there is sufficient evidence to record the route as a restricted byway (and Regulatory Committee agree) this does not mean the application would be rejected outright. If the evidence is sufficient to record public footpath or bridleway rights then this would be proposed in the alternative.

The purpose of this consultation is to ask if you have any information or evidence you may wish to present in relation to the application ahead of the matter being considered by the Regulatory Committee. If you have any comments you wish to make – or additional evidence relating to the history or public use of the route please send this to Ansar Sadiq.

Kind Regards,

Jayne Elliott

From: Ibison, Adrian <Adrian.Ibison@lancashire.gov.uk>

Sent: Tuesday, April 30, 2024 8:56 AM
To: Elliott, Jayne <Jayne.Elliott@lancashire.gov.uk>
Subject: FW: Fwd: Fw: Dmmo - Mere Lane, Tarleton (894.18035)

Morning,

Presumably this is meant for you? Makes a nice change for me to be able to send something to you...

Have fun...

Adrian Ibison

Public Path Orders Officer
Public Rights of Way
Lancashire County Council
07773 135050

Please note my working pattern is Monday to Thursday.
www.lancashire.gov.uk

Sent: Monday, April 29, 2024 6:08 PM
To: Sadiq, Ansar <ansar.sadiq@lancashire.gov.uk>
Cc: Paulson, Ros <Ros.Paulson@lancashire.gov.uk>; Ibison, Adrian <Adrian.Ibison@lancashire.gov.uk>
Subject: Fwd: Fwd: Fw: Dmmo - Mere Lane, Tarleton (894.18035)

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Dear Mr Sadiq,

I would like to know the details of what evidence has been provided in support of Mere Ln being considered to be a restricted byway. Should I perhaps now be thinking the possible option to make a claim for Mere Ln (A-D-F) as a public footpath ?

I would like to receive your comments.

Regards

David Kelly

Mid Lancs Area - Area Footpath Secretary
[Redacted]

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----- Original Message -----

To: ansar.sadiq@lancashire.gov.uk

Sent: Sunday, April 21st 2024, 22:18

Subject: Fwd: Fw: Dmmo - Mere Lane, Tarleton (894.18035)

Ramblers

At the heart of walking

www.ramblers.org.uk

Dear Mr Sadiq,

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David Kelly

Mid Lancs Area - Area Footpath Secretary

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Registered office: Soho Wharf, 1 Clink St, London, SE1 9DG

----- Original Message -----

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Hi David

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Kind regards,

Martin Davies

Paths Team Support Volunteer
The Ramblers

From: Sadiq, Ansar <ansar.sadiq@lancashire.gov.uk>

Sent: Thursday, April 11, 2024 4:58 PM

[REDACTED]

Subject: Dmmo - Mere Lane, Tarleton (894.18035)

Dear Sirs

Please see attached,

Kind regards

Ansar Sadiq

Paralegal Officer

Legal and Democratic Services

Lancashire County Council

01772 532435

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Mr & Mrs J C Thompson

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

25TH April, 2024.

Lancashire County Council

Legal Services

P O Box 100

County Hall

Preston

PR1 0LD

Dear Sirs

Re Application for Definitive Map Modification, Mere Lane, Mere Brow.

Your Ref LSG4.AS002.894.18035

Thank you for your recent letter regarding the above matter.

As landowners and business owners we would like to make the following objections to the application. Mere Lane has been classed as a private road for many years, before our ownership, when Lancashire County Council owned all of the Holmeswood Estate. Signs at each of the lane stating that it is strictly for access only and no horses permitted have been present, as far as I know for at least 40 years.

1. Mere Lane is a narrow lane, offering **no footpaths** for the use of pedestrians. There is a deep, fast running ditch, running alongside the lane which, to people are not aware, could pose serious danger to life. This ditch takes all the excess water off the fields from Holmeswood. The bankings to the ditch are 12 ft and very steep and pose obvious dangers.

2. Tractors and large items of farm machinery use Mere Lane for access to fields. We have had instances where young children have been running around, unsupervised by adults causing a danger to life. If public footpath status was granted we feel that this would attract more children to the area, thus posing more health and safety problems.
3. Mere Farm is a busy working farm. Access to the farm is required by large heavy goods vehicles seven days a week from early morning into the evening for collection of produce. Due to the access and size of some of these vehicles they are unable to load and unload in the farmyard. This process has to take place on Mere Lane itself. As you can appreciate if we had members of the public walking along the lane at this time, this would pose a risk to health and safety both to our staff and to members of the public. Forklifts and other machinery are used to assist the loading and unloading of these vehicles.
4. Throughout the day/early evening we also experience quite a large amount of traffic due to two fisheries being situate on the lane. Again, the fact that there is no footpath, for pedestrians to walk along, poses a safety issue.
5. We have on a considerable amount of occasions, also had members of the public using the lane for the smoking/distribution of illegal substances. We feel that if public footpath was instated then this problem would more than likely increase.
6. On occasions over the years we have had members of the public trespassing onto our fields where vegetable crops are being grown . They often are under the impression that they are able to 'walk wherever they like' and have in the past caused detrimental damage to our crops. Our question to yourselves is how this could be prevented if public footpath status was granted? The same problems have arisen with people entering our woodland areas, in particular, young children who think it is a play area but of course, an area of this type can be very dangerous.
7. We have also had problems, with dogs being exercised along the road, not on a lead, and entering a field where sheep are grazing and causing injury to the animals. The police have record of this.
8. Mere Lane also appears to attract members of the public for sexual activity. We have photographic evidence of a male indecently exposing himself, again police were involved. If public footpath was granted we feel this again would attract more of this unacceptable activity.
9. Lastly, when we purchased the farm and lane from Lancashire County Council, we agreed to maintain and upkeep Mere Lane along with our

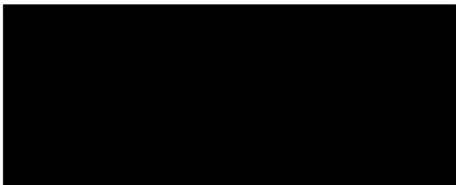
neighbours. If public footpath status was granted, who exactly would be responsible for the upkeep?

As per your request, I am attaching a full list of the occupants of Mere Lane, for whom the application will affect. I also enclose photographs of the sign, erected by LCC over 40 years ago stating the PRIVATE road status.

Also enclosed are photographs of large HGV waggons delivering and collecting from the farm. As you can see these are loaded and unloaded on Mere Lane, as due to the size of the vehicles they are unable to access the farmyard. These collections and deliveries are made at various times of the day, seven days a week.

Should you require any further information then please contact us. Our telephone number is 01704 821269.

Yours faithfully

A large black rectangular redaction box covering the signature area.

J C and GK Thompson.

Enc.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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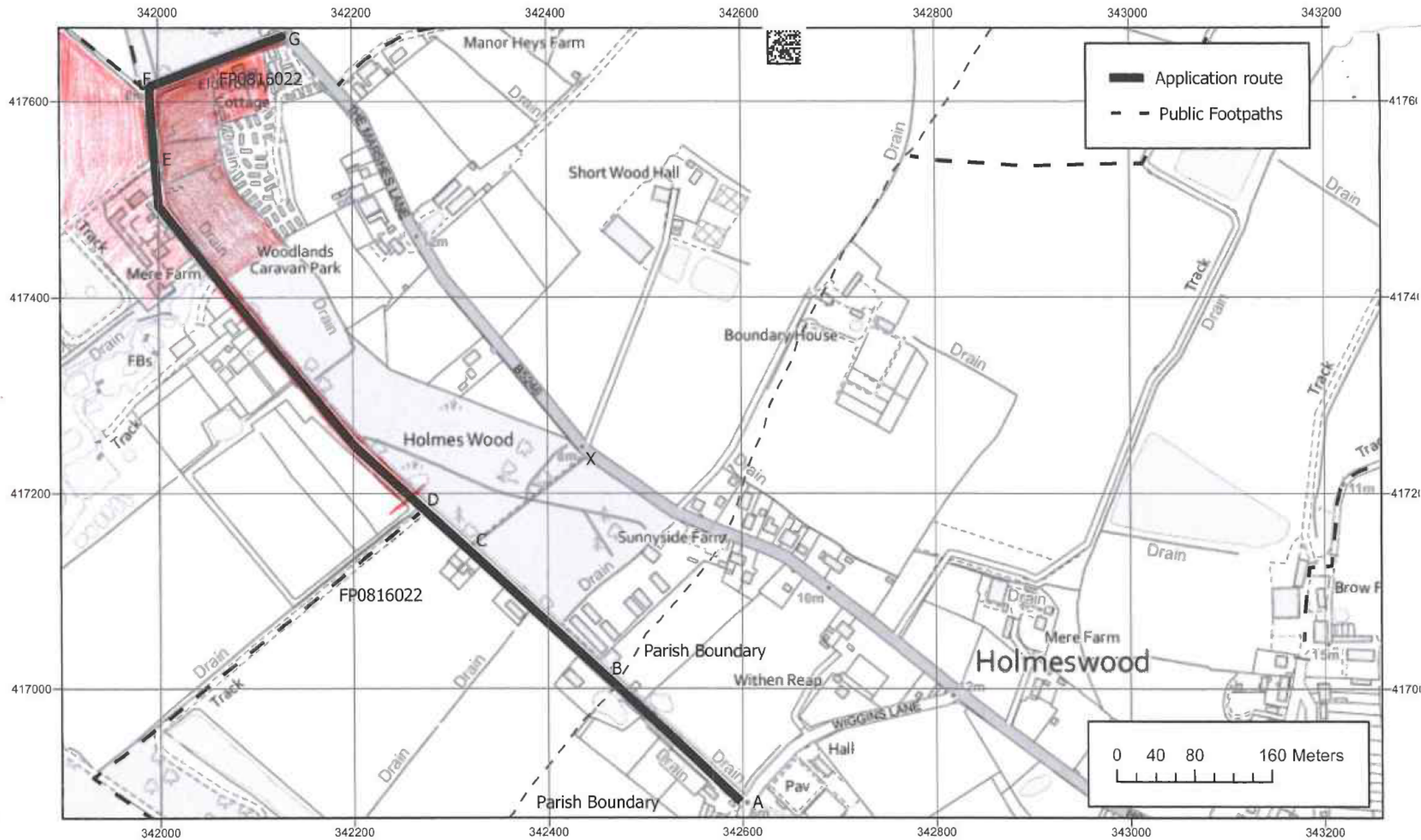
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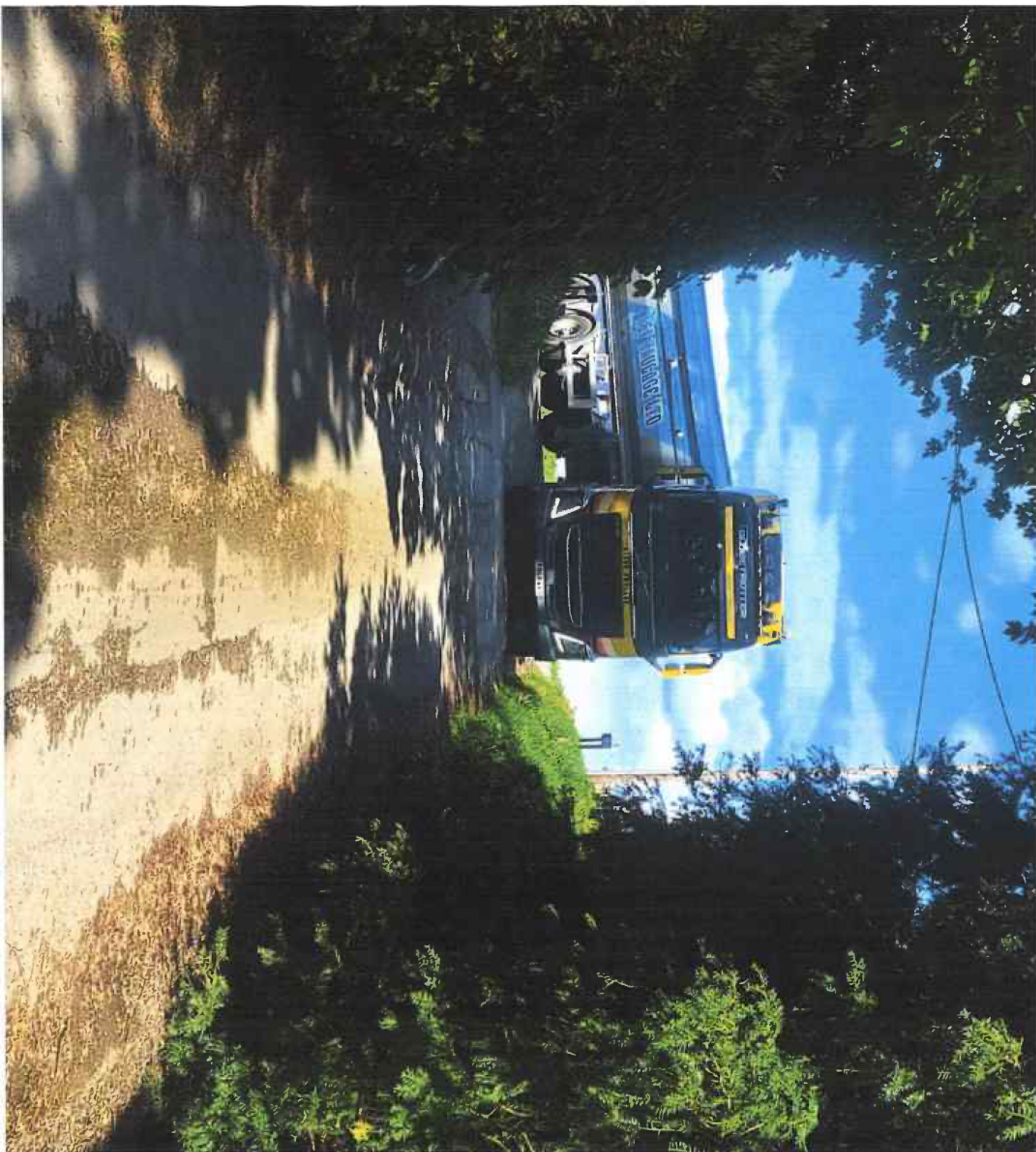
[REDACTED]



the County Council signs which are erected at either end
have (marshes lane + Wiggins Lane). These have been
over 40 years - clearly states PRIVATE ROAD.



Large H&V turning into Mere Lane, off the Marshes Lane.



As you can see with this photograph, the width of Mere Lane is very narrow.



Large HGV negotiating the bend on Mere Lane.
Very little room to manoeuvre, would be very dangerous
for both horse riders and pedestrians.



arge HGV being loaded - parked on Mere Lane.





Often waggons have to queue on Mere Lane for loading and unloading.



Very often these waggons can take up to 30 minutes for loading and unloading.



From: [Tarleton Parish Council Clerk](#)
To: [Mayson, Annabel](#)
Cc: [Sadiq, Ansar](#); [Wrigley, Glen](#)
Subject: RE: Our ref: 894.18035 Dmmo - Mere Lane, Tarleton
Date: 14 May 2024 08:57:16

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Dear Annabel,

I am writing on behalf of Tarleton Parish Council to request information pertaining to the recent communication we received regarding the consideration of a restricted byway on Mere Lane. Our council members have reviewed the proposal and have several queries that we believe are essential for our thorough understanding and consideration of the matter.

Specifically, we kindly request the following information:

- 1, **Purpose and Objective:** Could you please clarify what will be achieved by designating Mere Lane as a restricted byway? Understanding the intended outcomes of this designation will assist us in assessing its potential impact on the local community and environment.
2. **Preservation of Bridle Path:** Will the designation of Mere Lane as a restricted byway affect the status of the existing bridle path in the area? We seek confirmation regarding the continuity and accessibility of equestrian routes for residents and visitors alike.
3. **Applicant and Purpose:** Could you disclose the identity of the entity or individual who has submitted the application for the designation of Mere Lane as a restricted byway? Additionally, it would be helpful to understand the primary purpose or rationale behind this application.
4. **Adoption Status:** Is there a plan for the restricted byway on Mere Lane to be formally adopted by Lancashire County Council? Understanding the potential adoption status of this proposal will inform our discussions and decision-making process.

In light of the aforementioned inquiries, we respectfully request that no decision be made regarding the proposed restricted byway until we have received clarification on these matters and have had the opportunity to discuss them at our next council meeting scheduled for 10th June. It is imperative that we thoroughly consider all relevant information and implications before reaching a conclusion on this important issue.

We appreciate your attention to our request and look forward to receiving the necessary information in due course. Should you require any further clarification or assistance, please do not hesitate to contact us.

Yours sincerely,

Stephanie Donaghy-Sims
Clerk
Tarleton Parish Council

From: Mayson, Annabel <Annabel.Mayson@lancashire.gov.uk>

Sent: Wednesday, May 8, 2024 9:38 AM

[REDACTED]

Cc: Wrigley, Glen <Glen.Wrigley@lancashire.gov.uk>; Sadiq, Ansar <ansar.sadiq@lancashire.gov.uk>

Subject: RE: Our ref: 894.18035 Dmno - Mere Lane, Tarleton

Good morning,

Thank you for your email.

I confirm we will await your comments. Once the meeting has taken place on 13th May, please provide any comments you may have so these can be included in the report presented to the County Council's Regulatory Committee.

Kind regards

Annabel Mayson

Paralegal Officer

Legal and Democratic Services

Lancashire County Council

01772 533244

[REDACTED]

Sent: 08 May 2024 08:28

To: Mayson, Annabel <Annabel.Mayson@lancashire.gov.uk>

Cc: Wrigley, Glen <Glen.Wrigley@lancashire.gov.uk>

Subject: FW: Our ref: 894.18035 Dmno - Mere Lane, Tarleton

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[REDACTED]

Sent: Wednesday, May 8, 2024 8:27 AM

To: 'Sadiq, Ansar' <ansar.sadiq@lancashire.gov.uk>

Subject: RE: Our ref: 894.18035 Dmno - Mere Lane, Tarleton

Thank you,

Please be aware we will be discussing this at our Parish Council meeting dated 13th May and request you await our comments.

Kind regards,

Stephanie

From: Sadiq, Ansar <ansar.sadiq@lancashire.gov.uk>

Sent: Thursday, April 11, 2024 3:55 PM



Subject: Our ref: 894.18035 Dmmo - Mere Lane, Tarleton

Dear Sirs

Please see attached.

Kind regards

Ansar Sadiq
Paralegal Officer
Legal and Democratic Services
Lancashire County Council
01772 532435

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From: [Mayson, Annabel](#)
To: ["Tarleton Parish Council Clerk"; Sadiq, Ansar](#)
Subject: RE: Our ref: 894.18035 Dmno - Mere Lane, Tarleton
Date: 15 May 2024 09:44:00
Attachments: [Mere Lane Committee Plan.pdf](#)

Good morning,

Thank you for your email.

Our Public Rights of Way Officer has provided a response to each point, in italics below:

1, **Purpose and Objective:** Could you please clarify what will be achieved by designating Mere Lane as a restricted byway? Understanding the intended outcomes of this designation will assist us in assessing its potential impact on the local community and environment.

The application to record Mere Lane as a restricted byway has been made because the applicant considers that there is evidence to show that the route is already a restricted byway (ie that public rights already exist) but that they are not recorded on the Definitive Map.

Because this is the case any assessment on the potential impact on the local community or environment are not relevant and cannot be taken into consideration.

Relevant considerations are what evidence there is to show that the route already exists as a restricted byway, what evidence exists to suggest that it is not a restricted byway and/or whether there is evidence to suggest that it should be recorded as a public footpath or bridleway instead – on the basis that there is evidence that it has been dedicated as a footpath or bridleway but not as a historical public carriageway.

Other relevant considerations would be evidence that any public rights that did exist have subsequently been stopped up.

2. **Preservation of Bridle Path:** Will the designation of Mere Lane as a restricted byway affect the status of the existing bridle path in the area? We seek confirmation regarding the continuity and accessibility of equestrian routes for residents and visitors alike.

The application that the parish council have been consulted on does not in any way affect any other routes within the area but is specific only to what public rights may exist over the route marked between points A-G on the attached plan.

3. **Applicant and Purpose:** Could you disclose the identity of the entity or individual who has submitted the application for the designation of Mere Lane as a restricted byway? Additionally, it would be helpful to understand the primary purpose or rationale behind this application.

Anyone can make an application to record a public right of way on the Definitive Map and Statement. This particular application was made by the Open Spaces Society who were made aware of the fact that only a short stretch of Mere Lane was recorded as a public right of way but that the remaining length had been used by the public in the past and that a public footpath (FP0816026) was recorded as starting/terminating on the unrecorded section of

Mere Lane.

4. **Adoption Status:** Is there a plan for the restricted byway on Mere Lane to be formally adopted by Lancashire County Council? Understanding the potential adoption status of this proposal will inform our discussions and decision-making process.

The only matter under consideration is whether there are public rights along the full length of Mere Lane and what those public rights may be. Part of Mere Lane is already recorded as part of FP0816022 and this is publicly maintainable as a public footpath. Depending on the outcome of the investigation additional public rights may be recorded on the Definitive Map and these rights may – depending on when they came into being – mean that the rest of the route is publicly maintainable as a footpath, bridleway or restricted byway – but not as a modern mechanically propelled public vehicular highway.

There is no intention to 'adopt' Mere Lane as a publicly maintained vehicular highway and this is a completely separate procedure to the investigation that is currently being undertaken.

In light of the aforementioned inquiries, we respectfully request that no decision be made regarding the proposed restricted byway until we have received clarification on these matters and have had the opportunity to discuss them at our next council meeting scheduled for 10th June. It is imperative that we thoroughly consider all relevant information and implications before reaching a conclusion on this important issue.

It is unlikely that a report on this matter will be presented to the County Council Regulatory Committee until September but we would appreciate any comments that you may wish to make as soon as possible.

Please let me know if you require any further information.

Kind regards

Annabel Mayson

Paralegal Officer

Legal and Democratic Services

Lancashire County Council

01772 533244

Sent: 14 May 2024 08:57

To: Mayson, Annabel <Annabel.Mayson@lancashire.gov.uk>

Cc: Wrigley, Glen <Glen.Wrigley@lancashire.gov.uk>; Sadiq, Ansar <ansar.sadiq@lancashire.gov.uk>

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2. **Preservation of Bridle Path:** Will the designation of Mere Lane as a restricted byway affect the status of the existing bridle path in the area? We seek confirmation regarding the continuity and accessibility of equestrian routes for residents and visitors alike.
3. **Applicant and Purpose:** Could you disclose the identity of the entity or individual who has submitted the application for the designation of Mere Lane as a restricted byway? Additionally, it would be helpful to understand the primary purpose or rationale behind this application.
4. **Adoption Status:** Is there a plan for the restricted byway on Mere Lane to be formally adopted by Lancashire County Council? Understanding the potential adoption status of this proposal will inform our discussions and decision-making process.

In light of the aforementioned inquiries, we respectfully request that no decision be made regarding the proposed restricted byway until we have received clarification on these matters and have had the opportunity to discuss them at our next council meeting scheduled for 10th June. It is imperative that we thoroughly consider all relevant information and implications before reaching a conclusion on this important issue.

We appreciate your attention to our request and look forward to receiving the necessary information in due course. Should you require any further clarification or assistance, please do not hesitate to contact us.

Yours sincerely,

Stephanie Donaghy-Sims
Clerk
Tarleton Parish Council

From: Mayson, Annabel <Annabel.Mayson@lancashire.gov.uk>

Sent: Wednesday, May 8, 2024 9:38 AM



Cc: Wrigley, Glen <Glen.Wrigley@lancashire.gov.uk>; Sadiq, Ansar <ansar.sadiq@lancashire.gov.uk>

Subject: RE: Our ref: 894.18035 Dmmo - Mere Lane, Tarleton

Good morning,

Thank you for your email.

I confirm we will await your comments. Once the meeting has taken place on 13th May, please provide any comments you may have so these can be included in the report presented to the County Council's Regulatory Committee.

Kind regards

Annabel Mayson

Paralegal Officer
Legal and Democratic Services
Lancashire County Council
01772 533244

Sent: 08 May 2024 08:28

To: Mayson, Annabel <Annabel.Mayson@lancashire.gov.uk>

Cc: Wrigley, Glen <Glen.Wrigley@lancashire.gov.uk>

Subject: FW: Our ref: 894.18035 Dmmo - Mere Lane, Tarleton

Some people who received this message don't often get email from clerk@tarleton-pc.gov.uk. [Learn why this is important](#)

Sent: Wednesday, May 8, 2024 8:27 AM

To: 'Sadiq, Ansar' <ansar.sadiq@lancashire.gov.uk>

Subject: RE: Our ref: 894.18035 Dmmo - Mere Lane, Tarleton

Thank you,

Please be aware we will be discussing this at our Parish Council meeting dated 13th May and request you await our comments.

Kind regards,

Stephanie

From: Sadiq, Ansar <ansar.sadiq@lancashire.gov.uk>

Sent: Thursday, April 11, 2024 3:55 PM

Subject: Our ref: 894.18035 Dmmo - Mere Lane, Tarleton

Dear Sirs

Please see attached.

Kind regards

Ansar Sadiq
Paralegal Officer
Legal and Democratic Services
Lancashire County Council
01772 532435

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