

Please see accompanying bundle with objection from Yates Barnes on behalf of Southport Land & Property Company Ltd

100,Banks Rd
Crossens
Southport
PR9 8JL

02/02/2014

Ref LSG4/MB3/5.46086/MB3

Dear Miss Brindle,

With reference to letter received regarding the Claimed Public Footpath from Ralph's Wife Lane to Station Rd North Meols West Lancashire , my wife and I have lived at 100 Banks Rd for 45 years and there has never been a Public Footpath in the field adjacent to the property (Map Claim No 804/529 from the bend of the Sluice Bank to Ralph's Wife lane.)

I also understand the Fishing Club have access permission to use the Sluice Bank from Station Rd to the bend of The Sluice ,but it as never been classed as a Public Footpath that I am aware of. This would have to be confirmed by the landowners.

Yours sincerely



DA Trow

* - refers to aim to set access to 10 1000s more

Ap - claim 804/329 - also a photo of the
claimed route but - 2004 = after date of S31(6) +
challenge by landowner.

Banks.

8. 1. 14

Hi Jayne,

Hope you managed to obtain the
required info. from the Parish Clerk.

Enclosed are copies of the details which
we have.

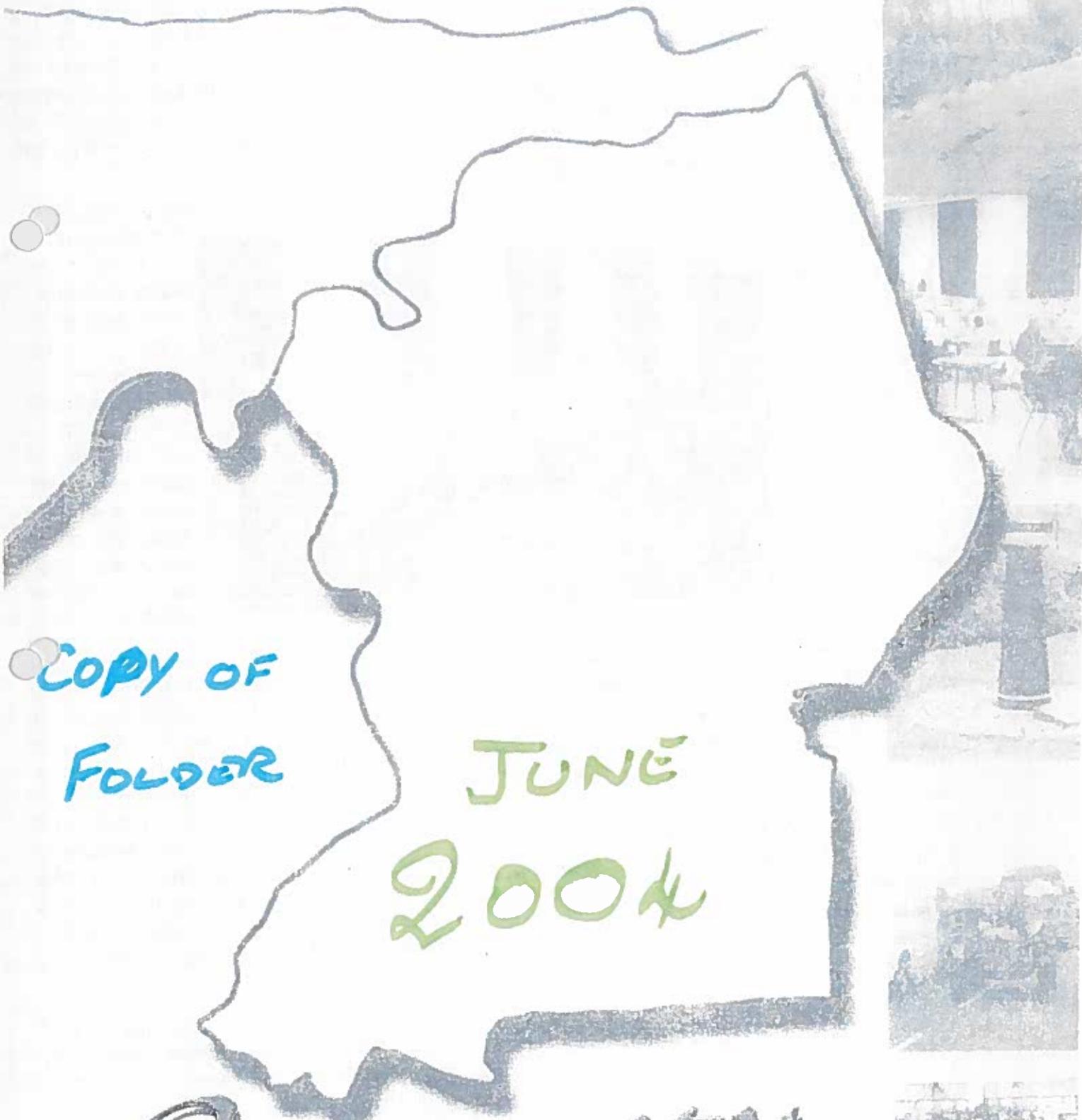
a) A summary of the 2004 Plan (which does not
appear to make reference to footpaths)

and b) An action plan, which presumably resulted
from the village plan itself. - 2 brief references
on page 4. IE. - link up public pathway network
and investigate route for Lancs Coastal Path

Kath

North Meols

Parish Plan



COPY OF
FOLDER

JUNE
2004

Summary

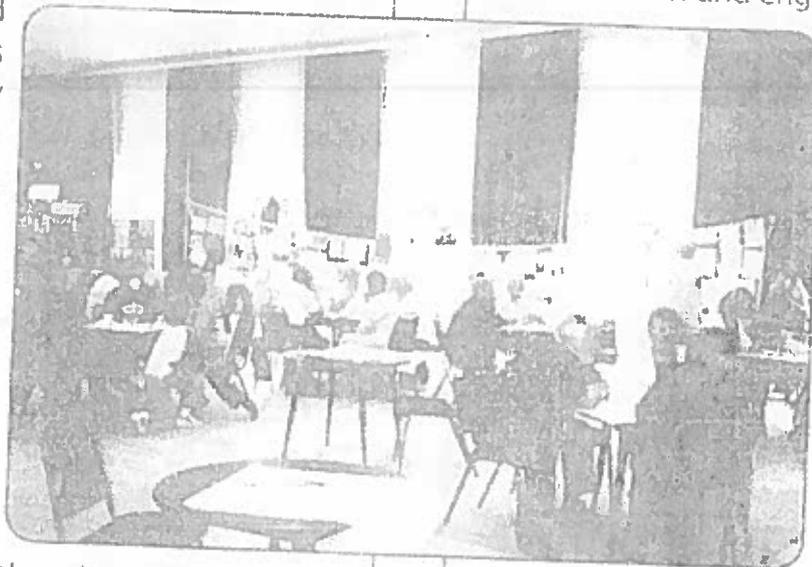


Background

Measures to tackle the needs and concerns of people working and living in the countryside were set out in the Rural White Paper - "Our Countryside, The Future" a Fair Deal for Rural England presented to parliament in November 2000.

People in rural communities care strongly about the places where they live, about the services and activities that hold the community together, the local landscape and its features and how likely it is to evolve in the future. Every country village has its own priorities, local strengths and distinctive features which are special and unique.

It is recognised that diversity and local pride needs to be retained and the Rural White paper pledged to help rural communities develop Parish Plans inviting local communities to identify what key services they would like to develop, set out the problems that need to be tackled and to demonstrate how distinctive character and features could be preserved.



The Process

North Meols Parish Council registered its intent to produce a Parish Plan, in conjunction with the Community, in February 2003. The offer of assistance from the Rural Evaluation and Action for Lancashire (R.E.A.L.) Team on key components of the project, the formation of a team of local volunteers and funding granted from the Countryside Agency's Vital Villages Programme provided the means to proceed.

Consultation and engagement entails a

Community Exhibition incorporating a visioning event and the involvement of the two primary schools in a competition. A quality of life questionnaire was then hand delivered to each elector (3,124).

The independent analysis of the questionnaire (return rate of 21.5%) and the results of the visioning event were presented back to the community. A summary of the findings and notification of an action planning workshop was distributed to each household. The evidence gathered, taken together with the findings of the Northern Parishes Transport Survey of April 2002, formed the North Meols Community Audit Report.

The compilation, format and publication of the Parish Plan was formulated and finalised with the assistance of Planning Aid.

Summary

The Parish Plan for North Meols has been undertaken enthusiastically and has been effective in engaging the community. We need to remember that North Meols is made up of more than one settlement and that it is important that the residents of Banks, Far Banks, Gravel Lane, Crossens and Churchtown Moss and Fiddlers Ferry (Banks Road) are all included in the continuing process of delivering the outcomes from the Parish Plan.

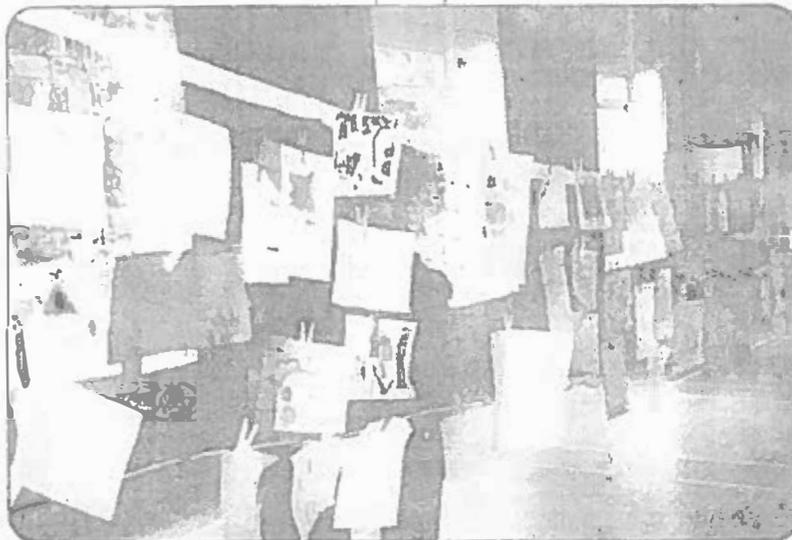
Areas that have been identified through the Community Audit, and have formed the basis of the Parish Plan, are those which the community have identified as important to them.

The production of this Parish Plan formalises the views of residents and the Parish Plan has formally been adopted by North Meols Parish Council. The Action Plan will be driven by the "Villagers' Views" and sets out what the Parish Council can do and the areas that need to be worked in partnership with principal authorities and other agencies.

The Way Forward

Areas that will be taken forward in the formal Action Plan include

- The lack of Facilities for Young People;
- The lack of activities for Old and Young People;
- Lack of Police presence in the area;
- Provision of Primary Care Services;
- Transport and Road Safety;
- Concerns about the environment;
- Community Engagement;
- Housing and Development.



Principal Authorities will see that the evidence so clearly shown in the Parish Plan tells them, and those who live in the parish and not engaged in the process, that we have a sound base to take issues forward.

This is not the end of the process, the Action Plan will be reviewed on an annual basis so that the community can see what has been achieved. If new concerns arise they will be addressed as appropriate.

Community engagement in the process is the key to success and any resident who wishes to be involved in the Working Groups that will continue should contact the Clerk to the Parish Council on 01704 533281, or alternatively attend the Parish Council Meetings which are held on the first Tuesday of each month.

Notification of such can be found posted on the Parish Council Notice Boards.

Needs Revealed

Banks is treated 2nd class
it needs new life and
quality planning.

Facilities for young

One policeman for each village
not one to cover 7 villages

Would like to keep Banks as
a village and open spaces

Free travel for OAP's

Speeding cars and HGV traffic a real problem

No more large estates

Too many executive homes and not
enough affordable

Surgery building itself is new and fine
but not enough GP's to cater for new
growth in the area

Dentist

Better employment opportunities

Quicker ambulance services

Permanent library

The village needs a hall to help build a better community

It would be nice if the elderly
could meet up for a meal
and a chat occasionally

Improve health facilities, satellite clinics and screening

Clean safe pavements

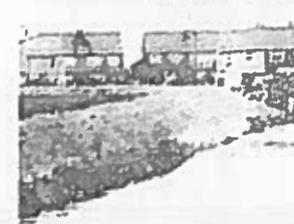
Better prevention of youth crime / vandalism

Leisure centre should be more focused to community

Bicycle paths / safer roads

A direct service from this
village to both Southport and
Ormskirk hospitals, and to
West Lancs council offices

Action Plan

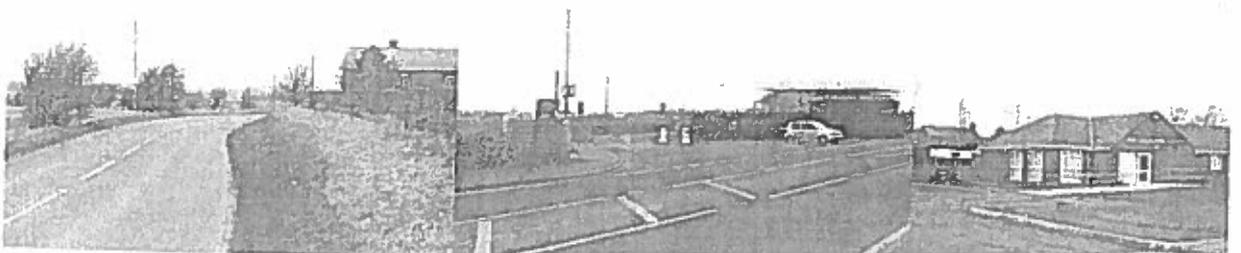


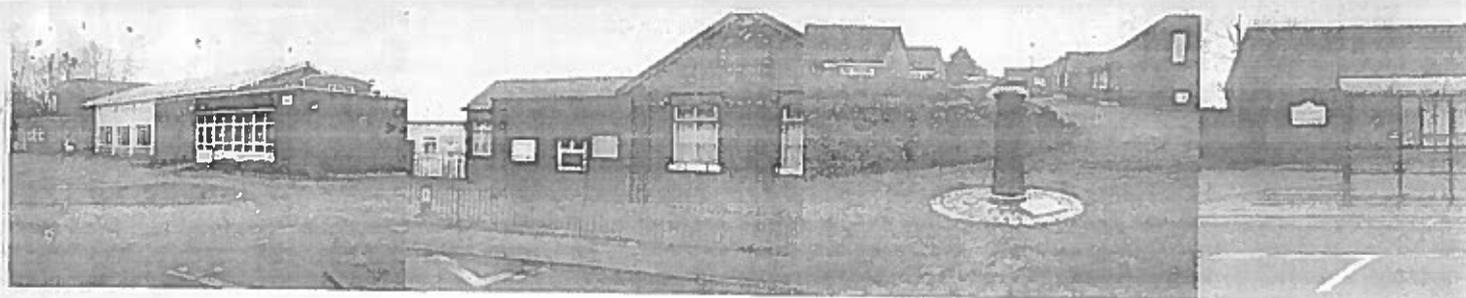
Abbreviations used in this Action Plan

NMPC	North Meols Parish Council
LC	Lancashire Constabulary
LCC	Lancashire County Council
LYCS	Lancashire Youth and Community Service
EA	Environment Agency
WLDC	West Lancashire District Council
WLPCT	West Lancashire Primary Care Trust
WLCSP	West Lancashire Community Safety Partnership
NPBG	Northern Parishes Business Group



The Action	How it will be achieved	Priority	Partners	Timescale	Lead Responsibility	Resource Implication
Encourage people to volunteer for youth work	Advertising for volunteers to work with LYCS	Medium	LYCS NMPC	Ongoing	NMPC	Nil
Develop a youth council	Engage young people and encourage them to become actively involved	Medium	LYCS NMPC	6-12 months	NMPC	Nil
Provide a safe Environment for young people to meet	Look at the possibility of a youth shelter and/or a youth facility	Medium	LYCS NMPC	9-12 months	NMPC	Minimal
Investigate what traffic management and safety methods can be implemented	Work in partnership with appropriate authorities	High	NMPC LCC LC	9-12 months	NMPC	Nil
Provision of local NHS dental Service	Ask local Dental Committee to carry out feasibility study	Medium	NMPC WLPCT	6-9 Months	NMPC	Nil
Improve chiropody, cytology and mammography Services	Copy of community audit to WLPCT highlighting issues and asking for comments	Medium	NMPC WLPCT	6-9 Months	NMPC	Nil
Reduce waiting times for GP appointments Appointments available after 6pm Nurse available for help and advice Registration with local GP	Copy of community audit to GP highlighting issues and asking for comments	Medium	NMPC WLPCT	6-9 Months	NMPC	Nil





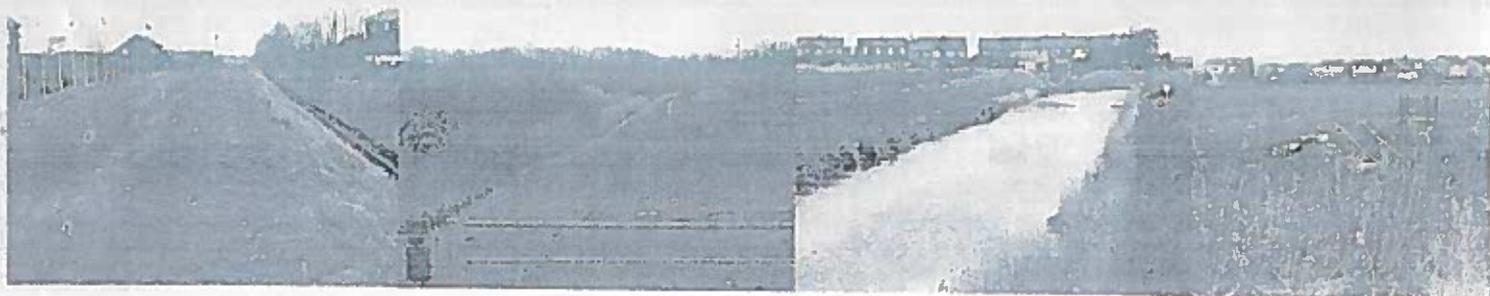
The Action	How it will be achieved	Priority	Partners	Timescale	Lead Responsibility	Resource Implications
Look at how current community facilities can be accessed more readily	Work in partnership with WLDC to promote wider community use of NMCLC	Medium	NMPC WLDC	9-12 months	NMPC	Nil
Support any sustainable bid for widening community facilities	Work in partnership with any group who presents a business plan	Medium	NMPC	Ongoing	NMPC	Nil
Develop social activities for older people	Work in partnership with appropriate providers to develop needs led services	High	NMPC WLDC LCC	Within 6 months	NMPC	Nil
Investigate vacant buildings to develop focus for community development	Identify vacant buildings and explore costs associated with purchasing and maintaining	High	NMPC	Within 12 months	NMPC	Nil
Ensure residents have access to local Police	Encourage regular surgeries at an accessible venue	High	NMPC LC	Within 6 months	LC	Nil
Explore the feasibility of localised community safety measures.	Investigate if there is a need. Look at funding possibilities to meet the need.	Medium	NMPC WLCSP LC	Within 12 months	NMPCT	To be identified
Ensure local residents have access to Community Safety Information	Publicising initiatives such as Neighbourhood Watch	Medium	NMPC LC	Ongoing	LC	Minimal
Campaign for a Community Beat Manager	Use of evidence base from community to present case to Lancashire Constabulary	High	NMPC	Within 6 months	NMPC	Nil





The Action	How it will be achieved	Priority	Partners	Timescale	Lead Responsibility	Resource Implications
Replace bus shelters (partially complete)	Identify shelters to be replaced and implement programme	Medium	NMPC	Ongoing	NMPC	£4,000
Ensure public transport timetables are available to all users	Put timetable information in all bus shelters	High	NMPC LCC	Within 6 months	NMPC	Minimal
Submit to WLDC areas outlined in SPG for adoption	Parish Council to forward Parish Plan to WLDC	Medium	NMPC WLDC	3-6 Months	NMPC	Nil
Carry out litter picking exercise	Encourage community groups to participate in regular events	High	NMPC WLDC	Within 3 months	NMPC	Minimal
Investigate joint approach with WLDC to promote litter awareness	Partnership visits to schools and media campaigns	High	NMPC	Ongoing	WLDC	Nil
Promote dog fouling bye laws	Through Parish Council newsletter	Medium	NMPC WLDC	Ongoing	WLDC	Nil
Carry out audit of roadside seats	Identify ownership and state of repair of seats	Medium	NMPC	Within 6 months	NMPC	Nil
Identify environmental improvement areas	Develop projects to meet identified need	Medium	NMPC EA LCC Groundwork	9-12 Months	NMPC	To be identified
Transfer responsibility for specific grass verges in the village	When NMPC obtains Quality PC status transfer identified verges	Medium	NMPC	12-24 months	NMPC	To be identified on transfer





The Action	How it will be achieved	Priority	Partners	Timescale	Lead Responsibility	Resource Implications
Investigate the potential of developing the former railway line for recreational use and linking up several parts of the village	Work in partnership with appropriate authority	High	EA NMPC LCC	6-12 months	NMPC	To be identified
Link up the public pathway network	Secure right of way to Ralphs Wifes Lane	Medium	EA LCC NMPC	12-24 months	NMPC	Nil
Improve and enhance public open space off Hesketh Avenue	Work in partnership with specialised voluntary agencies	High	NMPC Groundwork Trust	Within 9 months	NMPC	From NMPC Budget
Improve Aveling Drive sports grounds	By identifying the work that needs to be carried out in partnership with Stakeholders	High	NMPC WLDC	Within 9 months	NMPC	Nil
Investigate route for Lancashire Coastal Path	Obtain update from Lancashire County Council	Medium	NMPC LCC	Within 6 months	NMPC	Nil
Forge closer links with the Environment Agency	Invite EA to launch of Parish Plan	High	NMPC EA	Ongoing	NMPC	Nil
Encourage local people to engage in volunteers activities	Facilitating a local conference on volunteer opportunities and funding issues	Medium	NMPC Voluntary Groups	9-12 Months	NMPC	Nil





The Action	How it will be achieved	Priority	Partners	Timescale	Lead Responsibility	Resource Implications
Explore joint working with neighbouring parishes	Meet regularly with other Parish Councils	Medium	NMPC HwBPC TPC RPC	Ongoing	NMPC	Nil
Disseminate information on Parish Council Activities to community	Develop Parish Council Newsletter	High	NMPC	6 months	NMPC	From NMPC Budget
Encourage Local business start ups	Ensure land allocated for business development is retained as such	High	NMPC WLDC	Ongoing	NMPC	Nil
Establish Business Group	Link in with the Northern Parishes Business Group	Medium	NMPC NPBG	Ongoing	NPBG	Nil
Campaign for Broad Band in the village	Raise awareness in the Parish Council Newsletter	Medium	NMPC	Within 6 months	NMPC	From NMPC Budget



Supplementary Planning Guidance

FLOOD RISK

- There is a presumption against any development that would increase the danger of flooding risk in North Meols Parish. PPG25, RPG13 and WLLP EN10
- Additional development should be outside any areas identified as having a high risk of flooding. PPG25, RPG13 and WLLP EN10
- Any existing embankments and drains must be retained and safeguarded from future development. PPG25, RPG13 and WLLP EN10

OPEN SPACE/PLAYING FIELDS

- All existing open space and playing field provision must be safeguarded from development. PPG 3

HOUSING

- Apart from housing for defined agricultural needs no new housing will be acceptable within North Meols unless it is affordable and meets local need.
- Any such housing must be situated within the existing settlement and compatible with surrounding buildings in terms of siting, design, materials and landscaping. PPG1, PPG3, PPG17 and WLLP GP1,DE3

ENVIRONMENT

- No development should be undertaken which would prejudice the environment or status of the Ribble Estuary SSI, where it lies within North Meols Parish. PPG20, RPG13, Joint Lancs Structure Plan Policy 23 and WLLP EN3

EMPLOYMENT

- The Greaves Hall site should be secured for future employment uses in conformity with the West Lancashire Local Plan. Any development on this site should be carried out in an environmentally acceptable way in terms of design, siting, materials and landscaping. PPG7 and WLLP DE5

Acknowledgments

This report has been prepared by North Meols Parish Plan Team which has proved to be a true example of partnership working between members of the North Meols Parish Council and the Community.

Members of the Parish Plan Team : Joan Draper, Jimmy O'Hare, Nadine Ashcroft, Frances Shaw, Ken Warrenner, Hayley Ball, Ian Harley, Carol Harley, Elizabeth Matthews, Janet Abram and David Newson.

The REAL Project Staff at Community Futures in Preston: Carolyn Hall, Desna McKenzie and Charlotte Taylor, together with Martin Trengove, Debbie Shepton and Helen Saarma, West Lancashire CVS.

Ray Burdin from Planning Aid.

Special thanks also to all the voluntary and community groups who contributed to the community exhibition, these included the Shrimpers, Banks Brass Band, Banks Cricket Club, Banks Brownies, North Meols Archers, Banks Junior Football Club, Banks Homing Society, Banks Women's Institute, The Girls Brigade, Banks Methodist Sunday School, Banks Evergreens, Banks Gymnastics, Banks Pavilion Play Group and The Villages Initiative.

Joanne Parr and Roy Hymas from the Countryside Agency.

St Stephens C. of E. and Banks Methodist Schools for participating in a Competition.

Thanks also to those who have provided the photographs that are included in this report and to Railex Systems Ltd who assisted in the production of the folder.

And finally, to all the residents of North Meols who took part in the process and so enthusiastically provided their views into the Real Community Audit.

A copy of the full plan is being distributed to the principal authorities,
other agencies and all community groups within North Meols.

A copy will be placed for public view in the Library and the Health Centre.

Produced in association with



creating a better place



Environment
Agency

Lancashire County Council
PO Box 78
County Hall
Preston
PR1 8XJ

Our ref: TW/03/03/01/EST
Your ref: LSG4/MB3/5 46086/MB3

Date: 7 February 2014

FAO Megan Brindle – Paralegal

By email and post

Dear Sirs

**WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III
CLAIM FOR DEFINITIVE MAP MODIFICATION ORDER
6 CLAIMED FOOTPATHS, NORTH MEOLS, WEST LANCASHIRE**

We are in receipt of your letter dated 15 January 2014 (received 20 January) advising of six footpath applications on land in the ownership of the Environment Agency.

In considering any right of way application on its land, the Environment Agency would have to assess the impact on the integrity of the flood defence asset and the management/maintenance thereof, potential health and safety liability as well as the impact on the existing users, occupiers and/or tenants of the asset. Five of the proposed footpaths will impact the coastal flood embankment and the sixth is adjacent to the waterway known as The Sluice.

The plans, enclosed in your letter, show the route of the existing footpath along the sea embankment (FPs 38, 39 and 40) to be at the foot of the embankment on the landward side. It was our understanding that the footpath was at the crest of the embankment, which is currently used by the public and as such it is on this basis we respond. Please confirm the correct route of these paths from the definitive plan and description..

We return copies of the plans as requested, on which we have shown the extent of the land in the Agency's ownership, shaded in red.

In response to each of the six proposed footpath applications in the order of your letter:

1. Claimed Public Footpath from George's Lane to New Embankment – this proposed footpath joins the embankment where there is a ramp up the side of the embankment. The crest of the embankment could be accessed easily without creating significant health and safety risk or potential risk to structure to the embankment. Therefore the Agency has no objection to a footpath in this location.

Richard Fairclough House, Knutsford Road, Latchford, Warrington, Cheshire, WA4 1HT.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk



INVESTOR IN PEOPLE

2. Claimed Public Footpath from Charnley's Lane to New Embankment – at this location, there is no ramp up the side of the embankment. Consequently any new footpath will have the following implications:

- a) Any access would be directly up the side of the flood defence, which is steep and would potentially be a health and safety liability.
- b) Such access would result in damage to the structure of the asset which is an active flood defence.
- c) Any structure installed to facilitate access up the side of the embankment (eg. steps) will interfere with necessary operations by the Agency to maintain the flood defence (such as routine mowing, vermin & weed control and repairs).

Therefore the Agency objects to a footpath application in this location.

3. Claimed Footpath from a point on PF 40 to BW 47 North Meols - The comments to 1. above apply in this location and therefore the Agency has no objection to a footpath in this location.

4. Claimed Footpath from Ralph Wife's Lane to Station Road – The Agency do not own the complete route of this proposed path and assume that the neighbouring landowner has been notified. This route has never been used legally as a path.

Other than the Agency staff and their contractors, the only other people authorised to access this land are the members of the Southport and District Angling Association. The Association has the fishing along the watercourse at this location on a long lease (25 years) and any path in this location will significantly disrupt their use of this land. I would be grateful if you could please confirm that you have formally notified the Angling Association of this proposal.

Creation of a footpath will have the following implications:

- a) Trespass on to the adjacent water course (eg swimming, canoe/boat launching etc.), vandalism and illegal fishing.
- b) Health and Safety liability as a result of legal and illegal use of the access to the public, occupiers and Agency staff.
- c) Interference with the Agency's operations on site.
- d) Interference with the Angling Association's use of the site

To prevent unauthorised access, various signs have been in place for some time, erected by both the Agency and the Angling Association (please see attached). Furthermore access on to the proposed path from Station Road is obstructed by metal railings and a locked gate. It should be noted that on the Ralph's Wife's Lane end of the proposed path, there is a sign restricting access, which had been erected by the neighbouring owner some time ago.

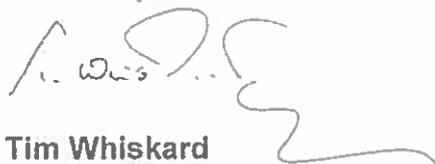
Therefore the Agency objects to a footpath application in this location.

5. Claimed Footpath from a point on BW 47 to PF 40 North Meols - The comments to 2. above apply in this location and therefore the Agency objects to a footpath in this location.

6. Claimed Footpath from a point on BW 48 to PF 38 (39?) North Meols - The comments to 2. above apply in this location and therefore the Agency objects to a footpath in this location.

We trust that this is the information you require in relation to these applications. If you require further information or wish to discuss this further, please contact me on the addresses below.

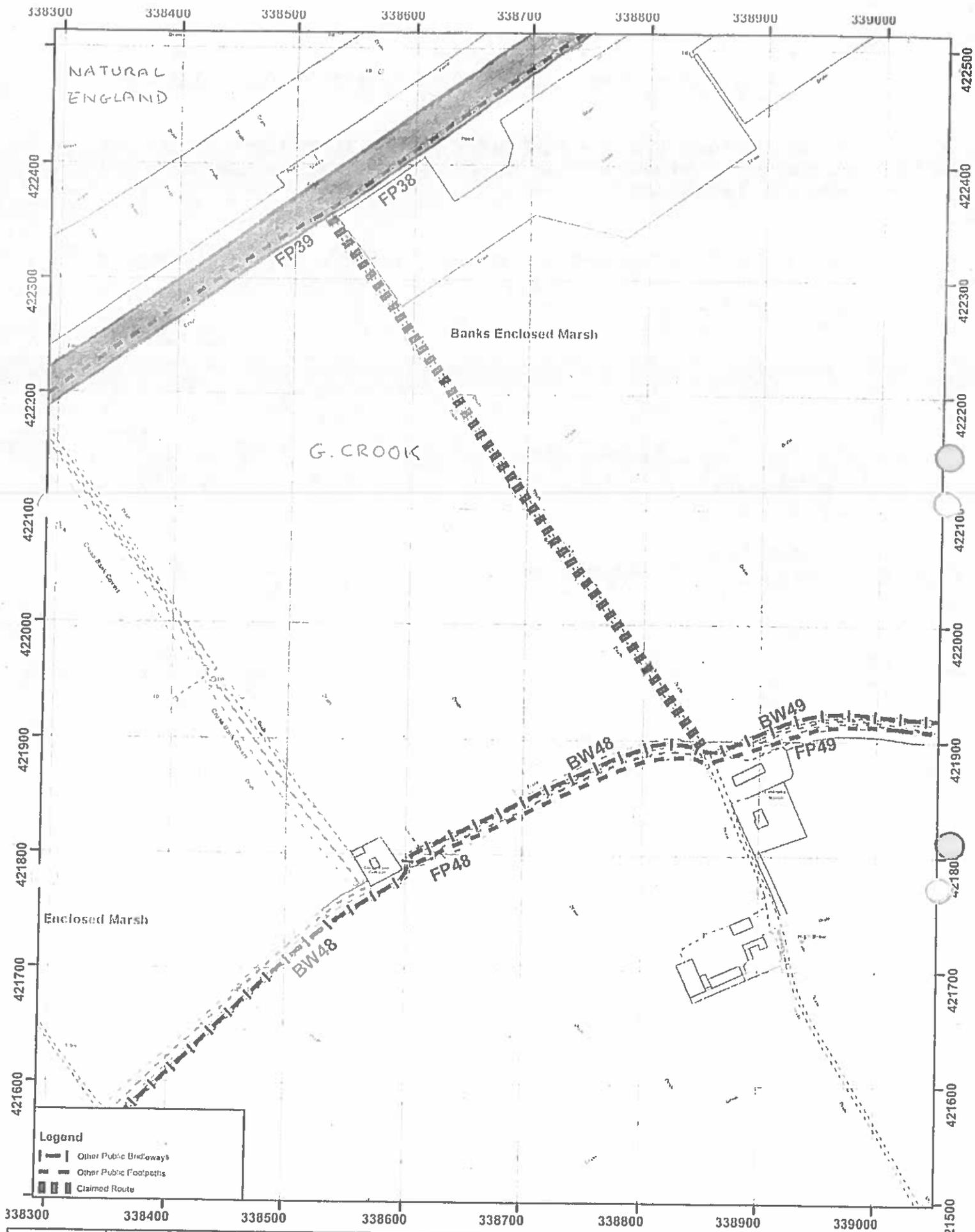
Yours faithfully



Tim Whiskard
Estates Surveyor

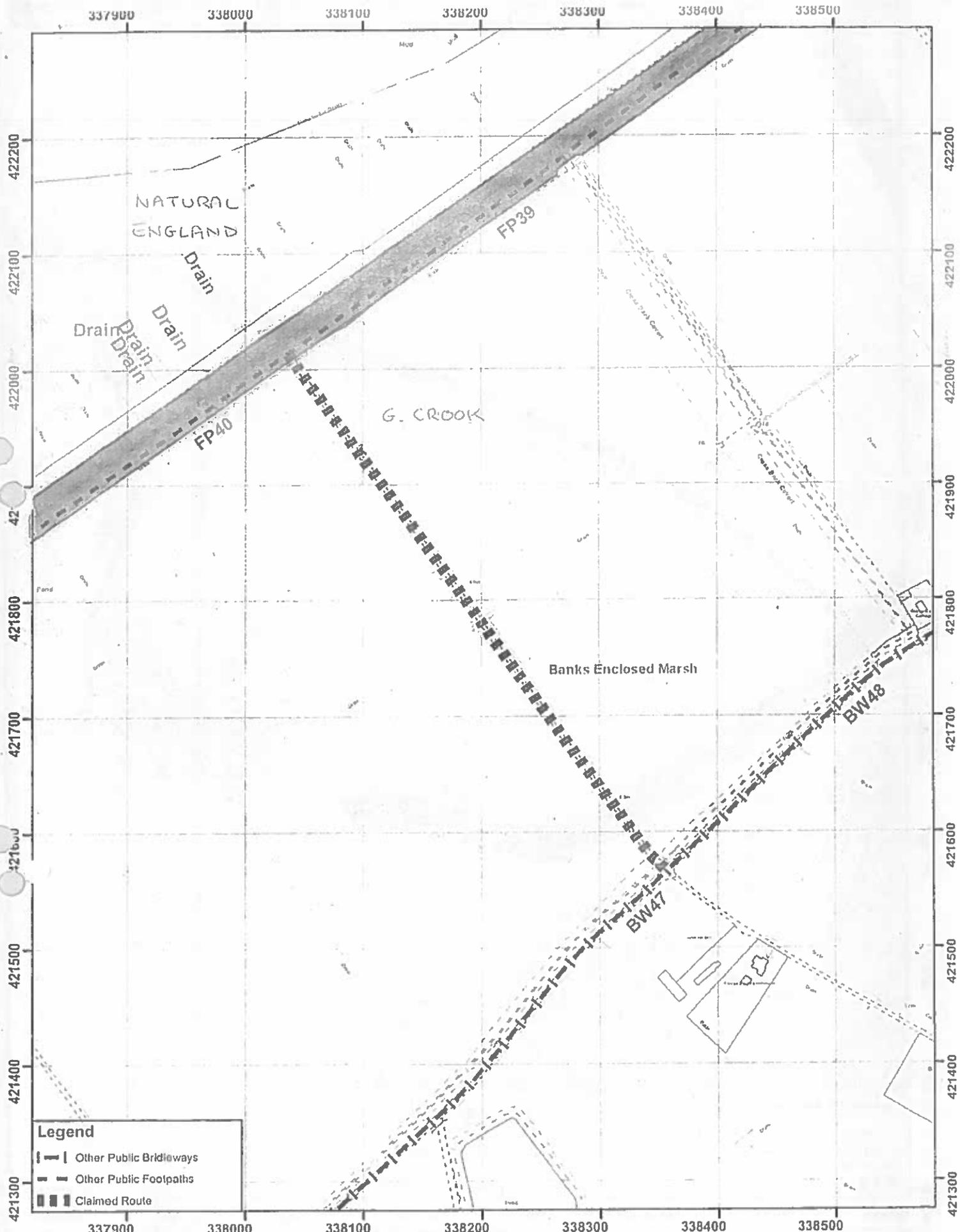
Tel: 01925 542603

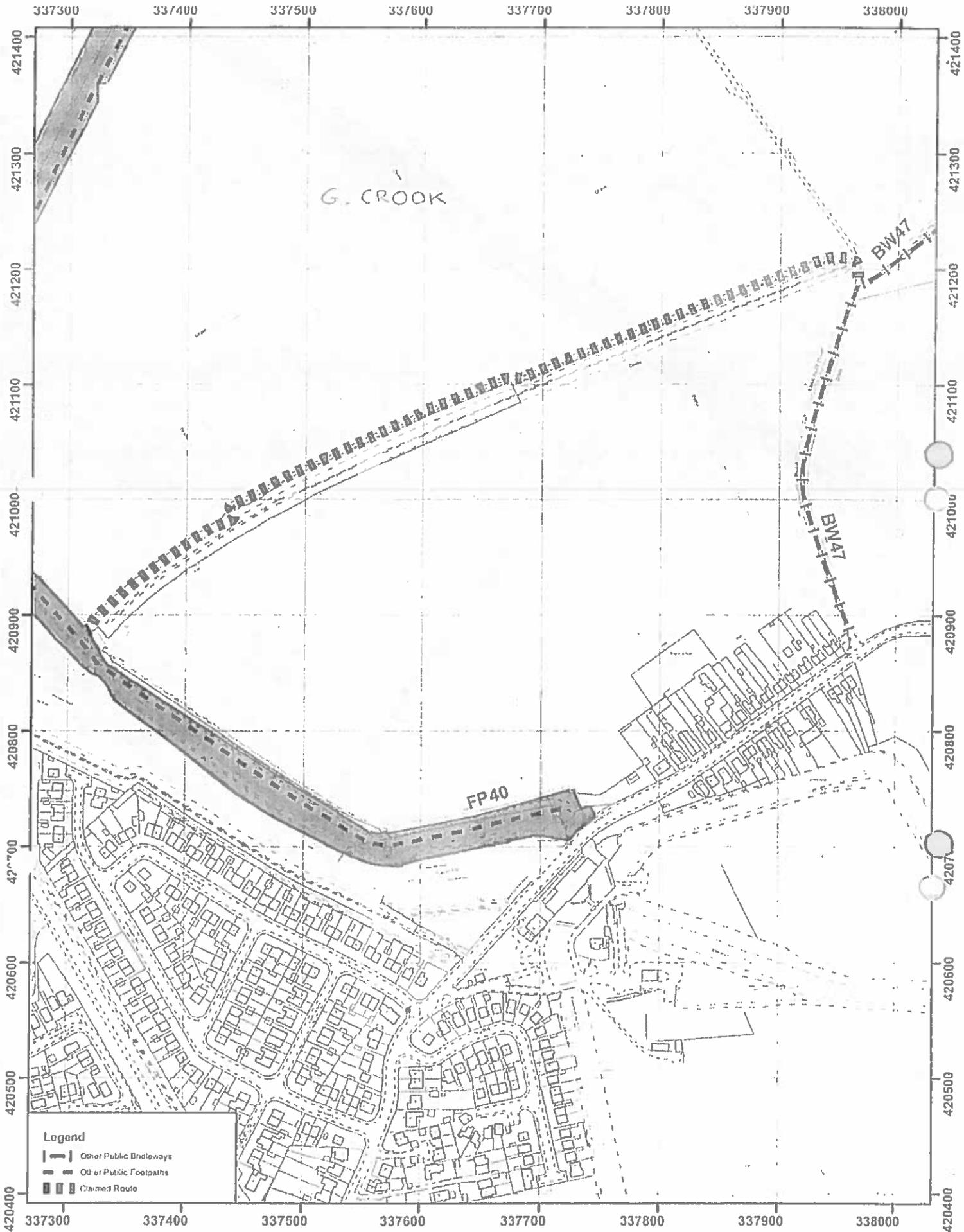
E-mail: tim.whiskard@environment-agency.gov.uk

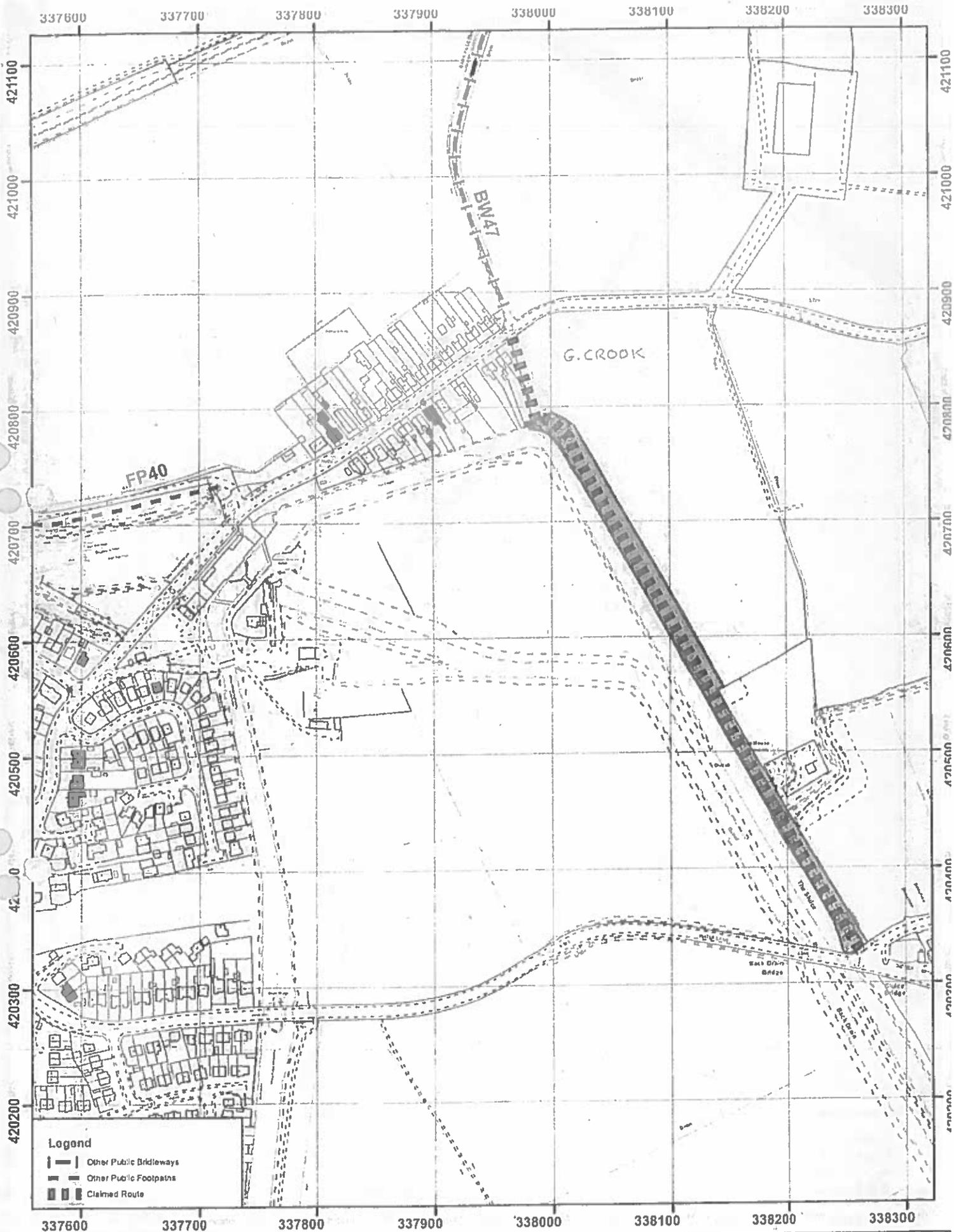


Legend

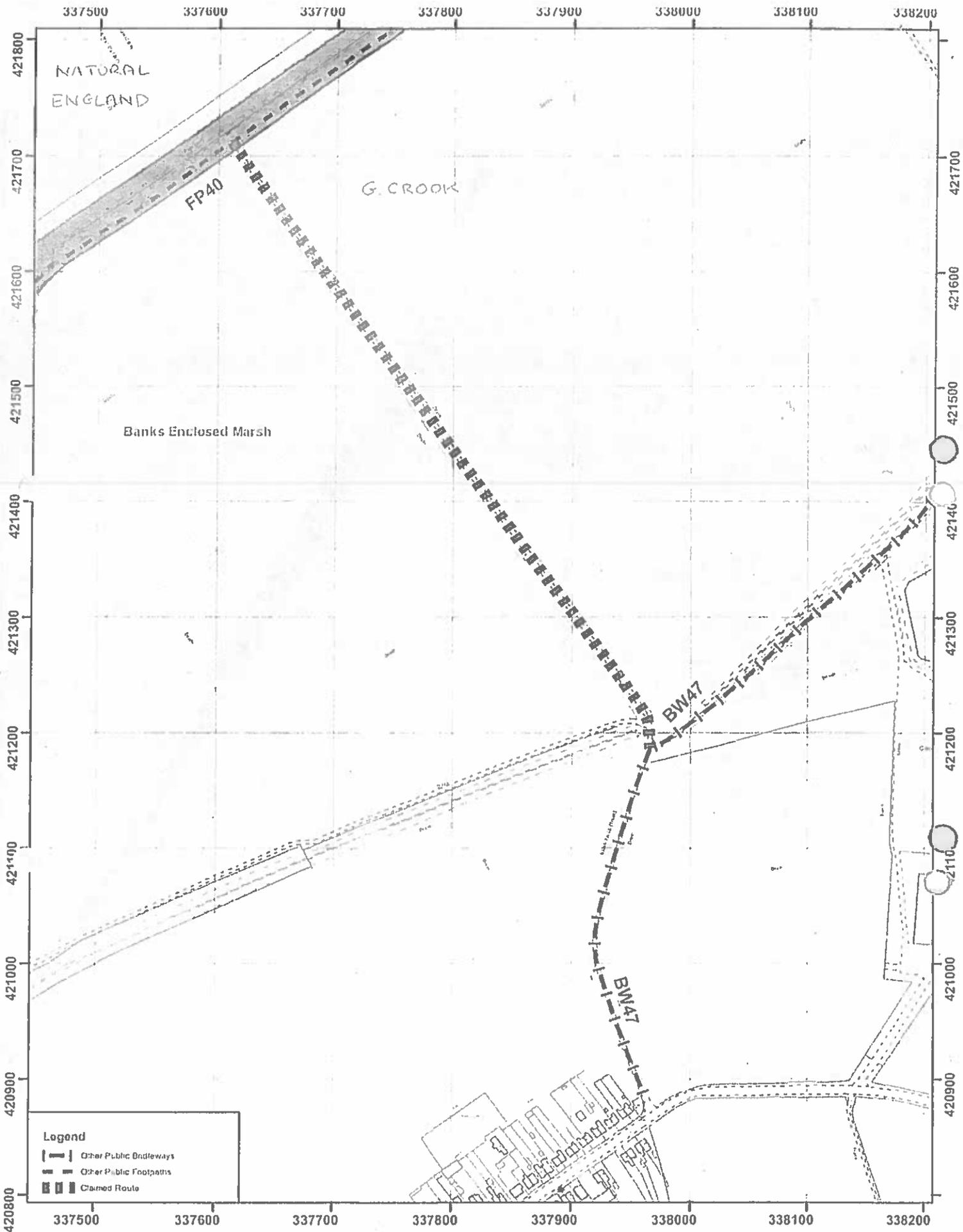
- Other Public Brideways
- Other Public Footpaths
- Claimed Route

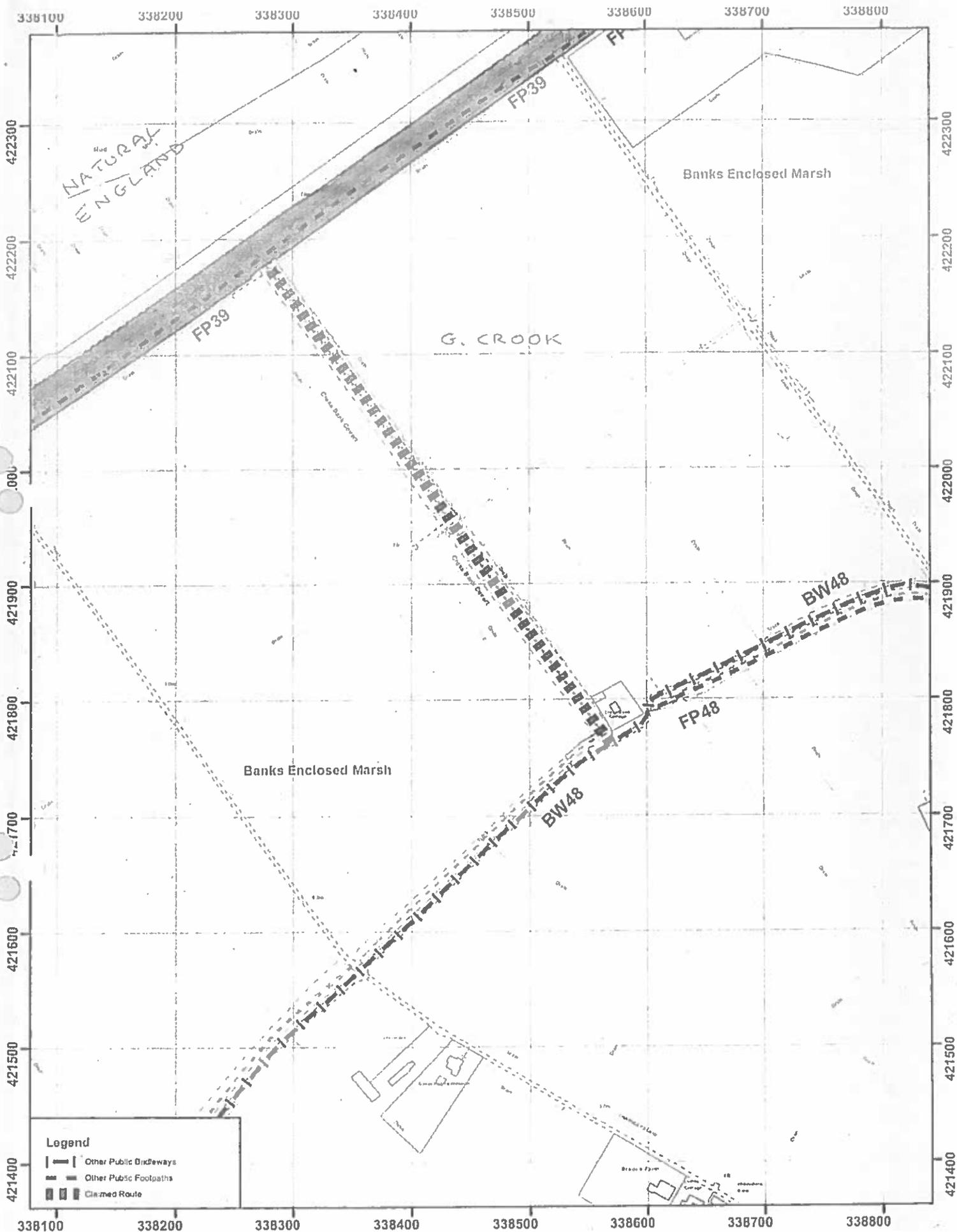






<p>Lancashire County Council</p>	<p>Jo Turton Executive Director for Environment</p>	<p>Wildlife and Countryside Act 1981 Claimed Public Footpath from Banks Road to Station Road, North Meols, West Lancashire District - Claim No. 804/529</p>	<p>1:4,000</p>	
<p>The digitised Rights of Way Information should 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.</p> <p>This Map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to Prosecution or civil proceedings. Lancashire County Council Licence No. 100923320</p>				





Jo Turton
Executive Director
for Environment

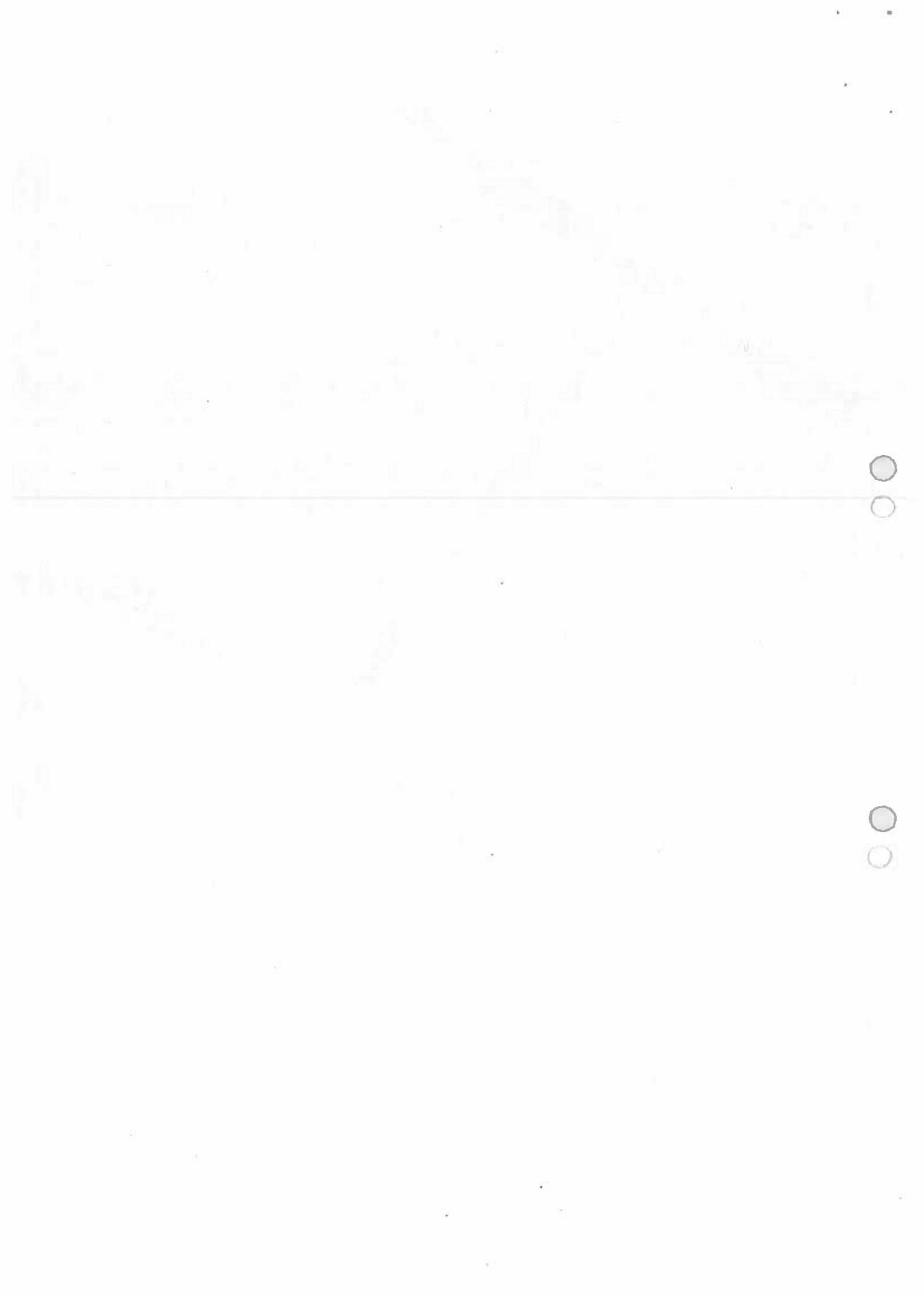
Wildlife and Countryside Act 1981
Claimed Public Footpath from Bridleway no.48 to Public Footpath no.39,
North Meols, West Lancashire District - Claim No. 804/531

1:4,000



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SOUTHPORT & DISTRICT ANGLING ASSOCIATION

RIVER CROSSENS and BACK DRAIN

PRIVATE FISHING and C. P. F. C. F.

The following regulations apply to the River Crossens and Back Drain from the 1st of January 1951 to the 31st of December 1951.

1. The River Crossens and Back Drain is open to all members of the Association for private fishing.

2. The River Crossens and Back Drain is open to all members of the Association for C. P. F. C. F.

3. The River Crossens and Back Drain is open to all members of the Association for C. P. F. C. F.

4. The River Crossens and Back Drain is open to all members of the Association for C. P. F. C. F.

5. The River Crossens and Back Drain is open to all members of the Association for C. P. F. C. F.

WARNING!



Environment
Scotland
Dumfries & Galloway
Council

S.D.A.A.

**KEEP GATE
CLOSED
ON ENTRY
& EXIT**

CLOSE SEASON

**NO FISHING FROM
15 MARCH TO 15 JUNE
INCLUSIVE**

By Email Only to:

megan.brindle@lancashire.gov.uk

Email: yates@yatesbarnes.com
sue.barnes@yatesbarnes.com
Fax No.: Chorley (01257) 269276
DX: 18404 Chorley

Your Ref: LSG4/JM9/5.46086/JM9

Our Ref: AEY/KMc/S806

Date: 23 July 2013

Dear Ms Brindle

Re: Claim for Definitive Map Modification Order

I refer to your email of 19 June 2013 received at 11:35 a.m. when you informed us that you had sent a copy onto the Public Rights of Way Manager who will make contact in the near future. To date we have not heard from your manager and we are anxious that before any determination of the application is made we attend a meeting with your manager to see what possibilities exist for the issues to be resolved by agreement.

We continue to gather and review evidence that we would wish the Council to consider but with a view to progressing matters can we suggest we look to agree a date some time mid to late September with you Council? The writer will be absent from his office during the majority of August and the Clients also have holiday commitments. Possibly a meeting during the week commencing Monday 23 September 2013 at your offices?

Meanwhile we have been considering the procedural requirements for a Modification Order and our Client Company have handed to us a copy of the Notice of Application for a Modification Order which purports to be in accordance with Schedule 8 of the Wildlife and Countryside Regulations 1993 in respect of which no admissions are currently made as to the validity of such Notice. It is however a requirement, as you are no doubt aware, that the Applicant file with yourselves a Certificate of Service of the Notice in the form set out in Schedule 9 to the said Regulations. Would you kindly provide us with a copy of that Certificate of Service, if any, that has been served upon you.

We look forward to hearing from you in early course.

Yours sincerely

A E Yates

A E Yates

CONFIDENTIALITY

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Lancashire County Council
County Secretary and Solicitor's Group
DX 710928
PRESTON COUNTY HALL

Email: yates@yatesbarnes.com
sue.barnes@yatesbarnes.com
Fax No.: Chorley (01257) 269276
DX: 18404 Chorley

YOUR REF: LSG4/JM9/5.46086/JM9

OUR REF: AEY/KMc/S806

Also by email:
jennifer.mort@lancashire.gov.uk

18 June 2013

Dear Sirs

**Re: Wildlife and Countryside Act 1981 Part III
Claim for Definitive Map Modification Order
Claimed Public Footpath from George's Lane to New Embankment, North Meols,
West Lancashire**

We have been instructed by Southport Land & Property Company Ltd in place of their former Solicitors, Ward Legal, of Hull. We believe that you have been informed by our Client Company that in view of the recent ill health suffered by their former Solicitor he was unable to provide the service our Client Company required and hence the instruction to this firm.

We are currently endeavouring to familiarise ourselves with the issues involved and to consider the evidence that has been submitted by the Applicants to date. Our Client Company have previously advised of their opposition to the applications in relation to the six claimed public footpaths and currently our Client is considering and pursuing its evidential requirements that will be appropriate in the event this matter proceeds to Public Enquiry. Inevitably this is a lengthy process requiring contact to be made with people who may no longer reside in the area but it is appropriate to give you some indication of the nature of the evidence that would be submitted to any public enquiry.

Ralph's Wife's Lane to Station Road

Our Clients are obtaining a statement from Mr David Alan Trow a Banks resident who has lived directly adjacent to the claimed footpaths on Ralph's Wife's Lane for the past forty three years. His provisional statement concludes "In conclusion I have lived at 100 Banks Road for forty three years, during this entire period there has not been a footpath through the field adjacent to our property. I have on a very few occasions whilst gardening in my back garden been asked (by people walking from Station Road, along the side of the sluice, which is access for the fishermen only) "can I walk through this field?" I have said no it is private land".

Cross Bank Cottage to New Embankment

The Scarisbrick Estate has had a shoot on this land for generations: our Client Company has numerous statements from people involved in the shoot during the time of our Client's ownership and during the times of their predecessors in title. These statements confirm there was no footpath through the wood, known as "Cross Bank Covert" and that there were pens in the wood for rearing game birds such as pheasants and partridge. Additionally our Client has statements from key members of the Southport and District Wildfowlers Association (this association having existed since 1887 and is the oldest of its kind in the country) confirming there was no footpath through Cross Bank Covert.

George's Lane to New Embankment, Bridle Way to New Embankment, Bridle Way (via the Old Embankment) to New Embankment, Charnley's Lane to New Embankment

Our Client Company have obtained statements from tenant farmers, from existing and past members of the estate shoot all confirming that the claimed footpaths are farm tracks used to access the fields. These statements confirm the existence of signage stating private land, that trespassers will be prosecuted although sadly a number of these signs are being vandalised and removed.

Our Clients additionally have statements from key long serving members of the Southport and District Wildfowlers Association that these members have been granted the right by our Client Company and its predecessors in title (commencing with the Scarisbrick family) to use these farm tracks to access the outer marsh and beyond. Some of the gentlemen involved had been shooting on the outer marsh with permission to use these tracks for between thirty and fifty years plus.

Moreover, In 1841 the population of Banks was 385 (*source:Victorian County History*). Historically, the majority of Banks was owned by the Scarisbrick Estate, in the early 1900's Banks residents were either tenant farmers (or farm workers) on the estate or Fishermen. These tenants (their families & employees) had the right to use the farm tracks, to farm the land and the fishermen paid the Scarisbrick Estate a penny a year to gather cockles from the marsh, naturally using some of the farm tracks to access the sea shore.

Other evidential avenues are being pursued and in due course we would be requesting sight of such documentary evidence that your Council holds in respect of the area in question prior to our Client's ownership which commenced in 1990. Perhaps you would kindly confirm the Council's willingness to make such records as it has available for inspection by our Client's representative at a mutually agreed time with permission to request such copies that may be appropriate. If the Council does not have any such records then kindly confirm the position to us.

Although the Civil Procedure Rules are not directly applicable to Public Enquiries the overriding objective of endeavouring to resolve issues by consent and at proportionate cost are, in our opinion, equally valid in circumstances that appertain here. We have in mind that if these issues

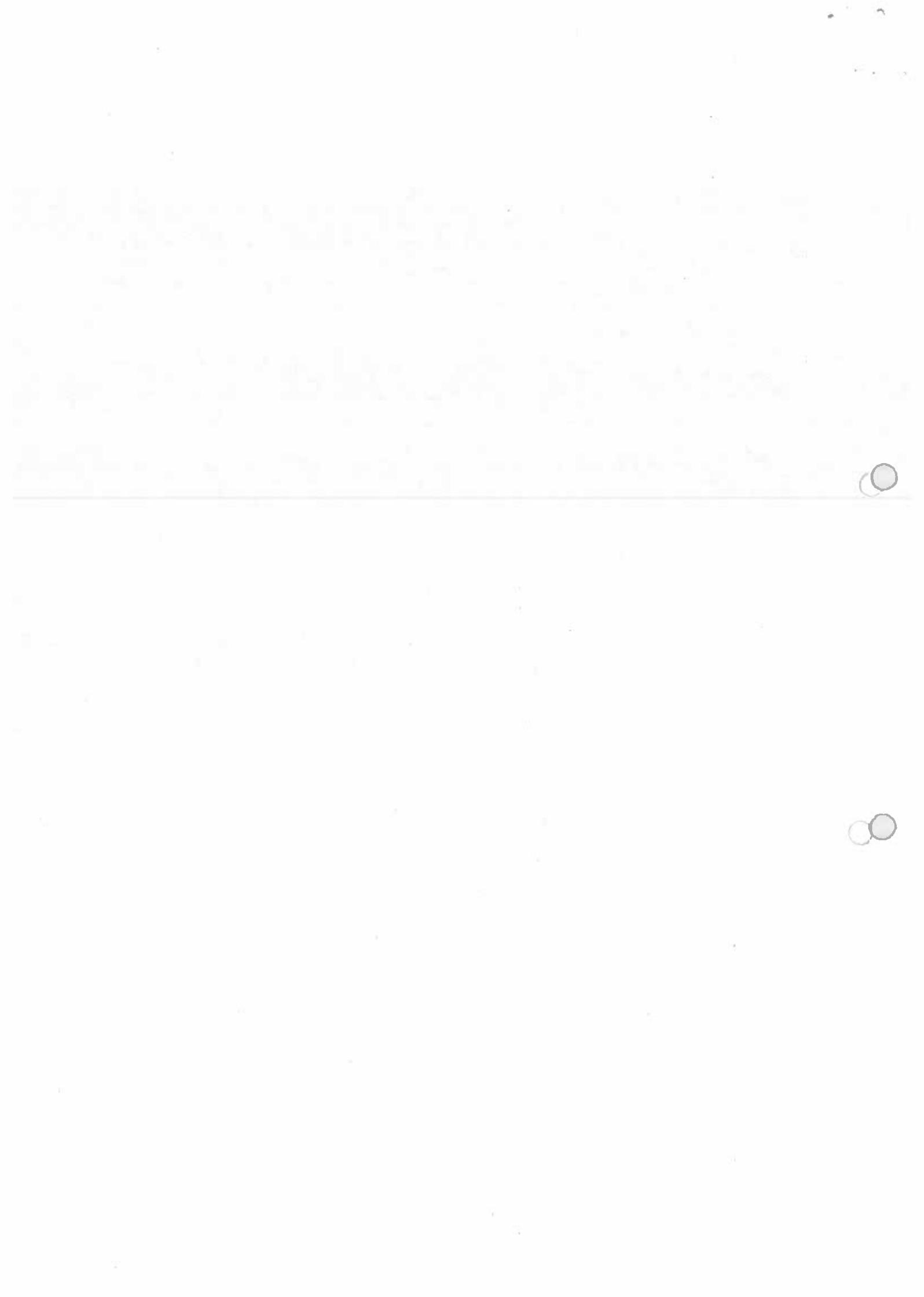
were to proceed to a public enquiry then the cost of such an enquiry would be significant and extremely time consuming for all the participants. Certainly it is, in our opinion, appropriate to explore what possibilities may exist for these issues to be resolved outside of such an enquiry and to that end we believe it may be helpful if we were to suggest a meeting with your officers to explore such possibilities.

Perhaps you would be kind enough to indicate if you agree with such an approach being taken at this time.

Yours faithfully

A E Yates

A E Yates



mbrindle006

From: Mort, Jennifer
To: Jacky@ward-legal.co.uk
Subject: RE: Your Ref: LSG4/JM9/5.46086/JM9

Sent: 02/05/2013 08:59:32

Dear Mr March

I have taken instructions and am in a position to grant you one further extension until Friday 31st May. However this comes with the strict caveat that you have been given numerous extensions and no further can be granted past that date.

I look forward to receiving your evidence.

Kind regards

Jennifer Mort

Trainee Solicitor
County Secretary & Solicitor's Group
Environment and Resources Section
Lancashire County Council
01772 5- 33427
Jennifer.Mort@lancashire.gov.uk

From: Jacky Hunter [mailto:Jacky@ward-legal.co.uk]
Sent: 30 April 2013 14:32
To: Mort, Jennifer
Cc: gb-crook@btconnect.com
Subject: Your Ref: LSG4/JM9/5.46086/JM9

Dear Ms Mort

I refer to previous correspondence and in particular to your email dated 28 February 2013 (timed 11:37).

In the above email you kindly granted a further extension until the end of April for the submission of the evidence to rebut the claims under the Wildlife & Countryside Act 1981 - Part III Claim for Definitive Map Modification Order claim for public footpath from St George's Lane to Newham Embankment, North Meols, West Lancashire.

I have received further evidence at the end of last week which my researcher has not had an opportunity to go through yet, and I would therefore request a further extension of time until the end of May 2013, if at all possible, to enable a full examination of the evidence be undertaken before being able to write to you with a submission.

I look forward to hearing from you at your earliest convenience.

kind regards
ANDREW MARCH

Jacky Hunter
Legal Secretary
Ward Legal

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A list of partners is available for inspection at the Registered Office

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mbrindle006

From: Mort, Jennifer
To: jacky@ward-legal.co.uk
Subject: Your Ref: AJM/JH/COO067 1

Sent: 28/02/2013 11:36:43

Our ref: LSG4/JM9/5.46086/JM9

Dear Sirs

Thank you for your letter received by fax today.

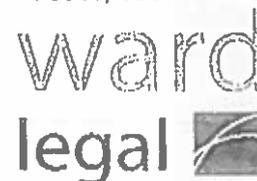
I can confirm that in this instance the Council are willing to grant you with a further extension to the end of April.

However please be aware that the Council needs to take the matter to the Regulatory Committee as soon as is possible.

Regards

Jennifer Mort

Trainee Solicitor
County Secretary & Solicitor's Group
Environment and Resources Section
Lancashire County Council
01772 5- 33427
Jennifer.Mort@lancashire.gov.uk



Lancashire County Council
County Secretary and Solicitor's Group
PO Box 78
County Hall
Preston PR1 8XJ

Our Ref: AJM /JH/COO067 1
Your Ref: LSG4/JM9/5.46086/JM
Date: 27 February 2013

Dictated:

Reply to: The Hull Office

Dear Sirs

**Wildlife and Countryside Act 1981 – Part III
Claim for Definitive Map Modification Order
Claimed Public Footpath from George's Lane to New Embankment, North Meols,
West Lancashire**

We refer to previous correspondence and to your agreement to an time extension to enable to deal with the evidence until the end of February 2013.

We instructed a researcher to go through all the evidence provided to our client and she is still in the process of going through some of the routes. We would be grateful if you could please provide us with a further extension until the end of April 2013 to enable us to fully complete going through all the evidence forms and evidence provided to us by our client.

Upon being in a position to respond to the evidence put forward by the County Council we will write to you.

Thank you for your kind assistance in this matter.

Yours faithfully

Ward Legal

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7 Silver Street,
Hull HU1 1HT

Appleton House,
3a Wednesday Market,
Beverley HU17 0DG

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SOUTHPORT & DISTRICT ANGLING ASSOCIATION



18 THREE POOLS
CROSSENS
SOUTHPORT
PR9 8RA

18 Sep 12

Your ref: LSG4/JM9/5 46086/JM9

Dear Ms Mort

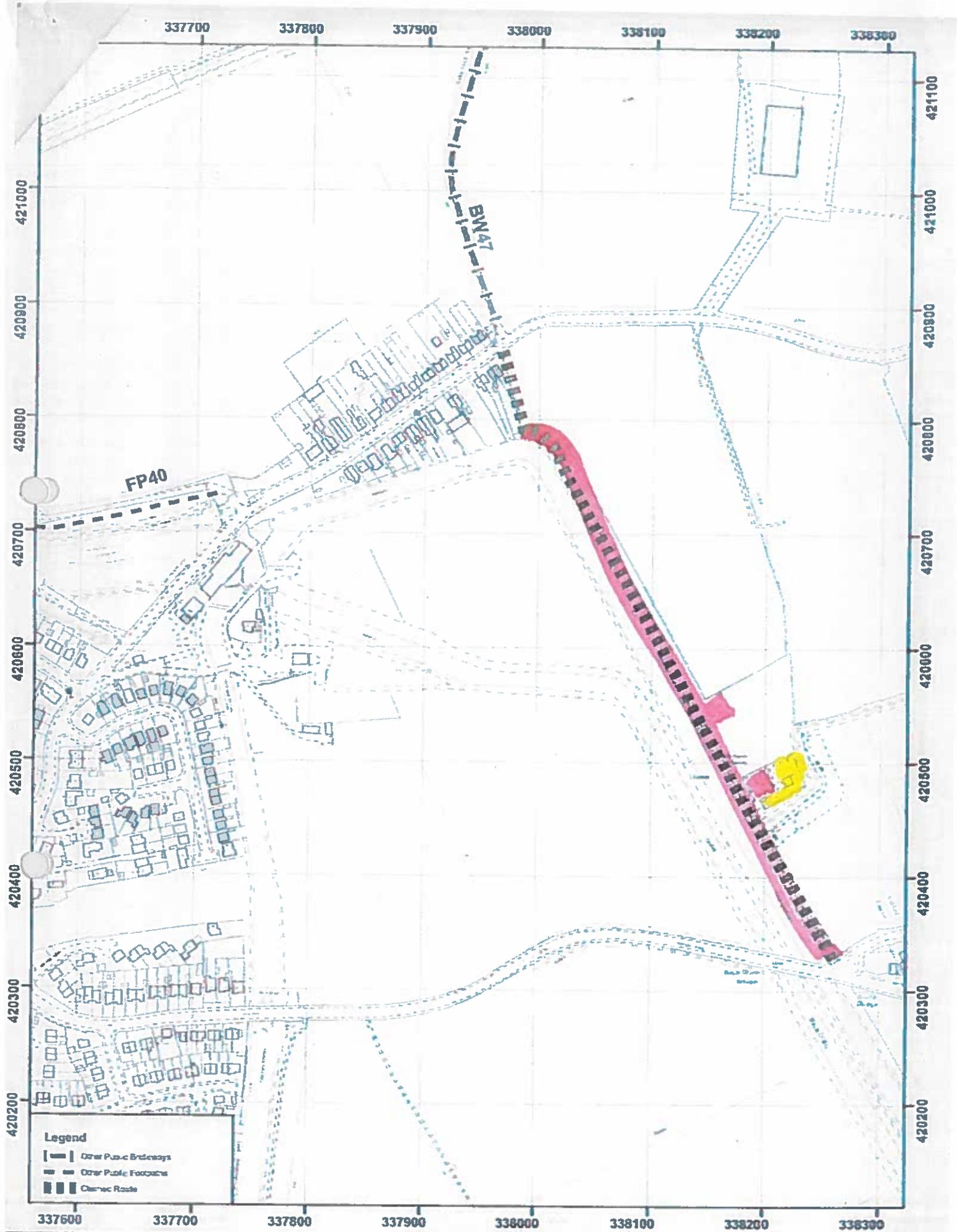
In response to your letter, see ref, I would like to confirm that we do not own any of the land in question. We lease the fishing rights and access from the Environment Agency who has a gate across the entrance at Station Road to which our members hold a key. Part of the gate has a pedestrian entrance which is never locked and the public use it to walk their dogs. The public do not have a vehicular right of way or access to this path.

You may be aware that United Utilities have a pump house (coloured yellow) next to the old corporation car park, which we rent from LCC, and they also have vehicular access.

I hope this is of interest to you.

Yours faithfully

Bill Hurst
Treasurer
S & DAA



Mort, Jennifer

From: Bill Hurst [billhurst1@sky.com]
Sent: 18 September 2012 16:44
To: Mort, Jennifer
Subject: Public Footpath
Attachments: LCC0001.jpg; LCC.doc

Follow Up Flag: Follow up
Flag Status: Flagged

NorSaved: Yes

Please see attachments