

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

**PUBLIC FOOTPATH FROM BANKS ROAD TO STATION ROAD, NORTH MEOLS,  
WEST LANCASHIRE BOROUGH (DEFINITIVE MAP MODIFICATION) ORDER  
2014**

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**WITNESS STATEMENT OF  
KATHLEEN PRINCE**

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1. My name is Kathleen Prince and I live at The Cottage, 10 Todds Lane, Banks. I am a retired teacher.
2. I completed a user evidence form in 2012 confirming my usage on foot of the route that runs from Banks Road to Station Road (which I refer to as the "Sluice Path").
3. I first became aware of (and started using) the Sluice Path after I moved to Banks in 1973. At that time I was living on Lancaster Drive which is very close to point I of the Sluice Path. In 1989 I moved to Hesketh Bank and then stopped using the Sluice Path in favour of walks closer to home. However, I moved back to Banks in 2004 (to my current location in Todds Lane) and started once again to walk along the old routes with which I was already familiar, including the Sluice Path.
4. When I lived in Banks the first time (between 1973 and 1989), I was working full time as a teacher so my opportunities to walk for pleasure were limited. During the winter months, I only used the Sluice Path occasionally and only at the weekend. However, during the summer months, as I had long holidays from work, I took walks along the Sluice Path much more frequently and on weekdays as well as weekends. From my house on Lancaster Drive, I would walk up the Sluice Path from point I on Station Road to Banks Road (point A). From there I could cross over the road and join the bridleway opposite which

would then allow me to access a number of routes around Banks enclosed marsh. I would usually walk a circular route back home without needing to go back along the Sluice Path.

5. When I used to walk along the Sluice Path between 1973 and 1989, there was unrestricted access along the full length of the route with no gates or fences. From point I to D the route was wide and had a solid base. From point D to B the route narrowed and from point B to A there was an unmade path through the field. In the main, the route ran adjacent to the sluice but as it neared Banks Road the sluice turned westwards towards the back of the pumping station and the walking route continued northwards to reach Banks Road. The exit onto the road at point A was vehicle width. The field which point B to A ran through was used for arable farming so the gap at point A was wide enough for a tractor to pass through.
6. I never used the Sluice Path secretly. I always walked along it in daylight and on most occasions I passed other walkers using the Path. I never saw any horses on the Sluice Path.
7. I never asked for nor was given permission to walk along the Sluice Path. 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.
8. There were never any signs up indicating that the Sluice Path was private and access to the public was not permitted.
9. I never encountered the landowner on any occasion when I was walking along the Sluice Path and I was never challenged or turned back when using it. I saw fishermen fishing off the Sluice Path and none of them ever told me that I shouldn't be walking along the Path.
10. Sometime during the 1990s or early 2000s, whilst I was living in Hesketh Bank, a fence was erected at the end of the Sluice Path on Ralph's Wife's Lane (at point A). I used to drive along Banks Road/Ralph's Wife's Lane to

and from Hesketh Bank and I noticed the new wooden fence as it was clearly visible from my car. There was no gate in the fence so it effectively blocked access to the Sluice Path at point A, unless you were willing to climb over the fence. A small brick building of one of the utility companies was also erected near to point A.

11. By the time I returned to live in Banks in 2004, I had retired from teaching and had a pet dog which I used to take out for a walk three times per day. I started walking along the Sluice Path again accompanied by my dog about twice a week. Depending on the weather and the age of my dog I would either walk or drive to Station Road and get on to the Sluice Path from point I. I would walk all the way up to point B where a new fence had been erected across the path which blocked access to the end of the route (up to point A). I can't recall whether it was a barbed wire fence at that time but I know that I never attempted to climb over the fence. I just turned back on myself and walked back the way I had come. Also, I noticed that the garden of the last house on Banks Road, adjacent to the end of the Sluice Path, had been extended and appeared to encroach on the old line of the footpath.
12. From 2004 I saw other walkers using the Sluice Path but not as often as I had before.
13. Since I completed the user evidence form in 2012 my use of the Sluice Path has decreased to about once per month. I usually park in the layby on Station Road and walk through the kissing gate and along the path that runs adjacent to the river. I walk as far as what is now a barbed wire fence at point B. I then turn around and walk back the way I came.
14. I can confirm that I have never been employed by any of the owners of the land over which the Sluice Path crosses nor been a tenant of theirs.
15. In summary, I regularly walked the full length of the Sluice Path for 16 years from 1973 to 1989. From 2004 to the present day I have only been able to walk between point I and point B which I did twice weekly up to 2012 and only about once a month since then.

**STATEMENT OF TRUTH**

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

Signed: Kathleen M Prince.

Date: 17 April 2020.