

## PUBLIC RIGHTS OF WAY

6

## EVIDENCE OF USE ON FOOT

NAME: JAMES H. FANCETT

ADDRESS: 20 COMMERCIAL ST

LOVECLOUGH, ROSSENDALE,

LANCASHIRE, B.B.4. 8.Q.X.

DATE OF BIRTH: 11 AUG 31 OCCUPATION: RETIRED

## Route of Way

From: COMMERCIAL ST (Grid Reference) SD 8105 2725

Via: LOVECLOUGH FOLD

To: FOOTPATH BY RIVER LINDY (Grid Reference) SD 8113 2731

1. How long have you known the route?

NEARLY ALL MY LIFE (65 YEARS) OR MORE

2. Have you used the above way on foot? YES/NO

If so:

(a) During which years? 1937 TO 2004.

(b) Where were you going to and from? UP THE RIVER SIDE.  
FROM COMMERCIAL ST.

(c) For what purpose? WALKING, ONLY TO THE LODGES FOR FISHING.

(d) How many times a year? 50 OR 60. SOMETIMES TWICE A DAY.

(e) Have you used the way by other means? During which years?

PROMPTLY UP THE MAIN ROAD TOWARD BURNLEY  
DOWN THE IRISHMAN'S GATE, OVER THE BRIDGE.  
Please fill in all that apply BACK UP COMMERCIAL ST.

On horseback NO

On motorcycle/in vehicle NO

Other WALKING.

3. Has the way always run over the same route? If not, give details and dates of any changes. Mark any changes or variations on the attached plan

YES

- 4a. Have there, to your knowledge, been any stiles, gates or fences across the way? If so, state where the stiles, gates or fences stood and mark their locations on the attached plan.

ONE IN THE TEN YEARS, JUST PAST  
THE NEW HOUSES GOING N/WEST.

- 4b. Were any of the gates locked? If so, state when and where they were, and mark them on the attached plan.

- 4c. Did any of the stiles, gates or fences prevent you from using the way on foot? If so, when?

NO

- 5a. Have you worked for any landowner over which the route passes? If so, give dates of employment and name of employer.

NO

- 5b. Have you been a tenant of any land over which the routes passes? If so, give dates of tenancy and mark land rented on attached plan.

NO

6. If you have answered yes to 5a or 5b did you ever receive any instructions from the landowner as to the use of the way by the public? If so, what were they?

NO

7. a) Have you ever been stopped or turned back when using this way on foot?

NO

- b) Do you know or have you heard of anyone else having been stopped or turned back when using the way on foot? If so, state when the interruption took place and give particulars.

EARLY IN 2004. WALKERS, FISH DELIVERY FOR  
RESTOCKING FOR THE LODGES, NEIGHBOUR, AND DAUGHTER  
WITH ABUSE FROM ONE OF THE NEW HOUSE TENANT,

8. Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not a public right of way on foot? If so, state when and give particulars and dates.

AS ABOVE

9. Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notices say? Mark the location of the notices on the attached plan.

NO

10. Have you ever asked permission to use the way? If so, who did you ask?

NO

11. Please give any other information that you think is relevant. Use a separate sheet if necessary.

MY GRANDMOTHER BIDDY BOOTH. LIVED IN A COTTAGE IN THE LEFT HAND CORNER OF THE FARM YARD. THERE WERE 4 OR 5 CHILDREN. WE ALL PLAYED IN THE RIVER, AND AROUND THE AREA, AND HAD TO USE THAT PATH WAY. NO ONE OBJECTED.

I hereby certify that, to the best of my ~~know~~ knowledge and belief, the facts that I have stated are true.

I am/~~am not~~ willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

Signature:  Date: 20 SEPT 04.