

# PUBLIC RIGHTS OF WAY

132

## EVIDENCE OF USE ON FOOT

NAME:	MARK BRELSFORD		
ADDRESS:	8 DRIVER ST		
	CRAWSHAWBOOTH		
	ROSSENDALE		
	LANCASHIRE		
POST CODE:	BB4 8NZ		
DATE OF BIRTH:	27-11-61	OCCUPATION:	MANAGER

Route of Way: On the West side of the River Limey, from the Commercial St bridge running in a northerly direction approximately 150 metres upstream to the next footbridge where four "Public Right of Ways" converge.

From: Commercial St: (Grid Reference) SD 811272  
Via: Loveclough Fold  
To: Upstream footbridge: (Grid Reference) SD 812274

1) How long have you known the route? 37 YEARS

- 2) Have you used the above way on foot? YES ~~NO~~
- If so:
- (a) During which years? 1967 - PRESENT DAY
- (b) Where were you going to and from? FROM HOME TO SURROUNDING COUNTRYSIDE x "PUBLIC RIGHTS OF WAYS"
- (c) For what purpose? RECREATION (WALKING, SHOOTING)
- (d) How many times a year? 150 +
- (e) Have you used the way by other means (Please tick all that apply)?
- On horseback
- On motorcycle/in vehicle ✓
- Other (State)
- During which years? 1992 - 1999

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 an 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 an attached plan).

GATES (UNLOCKED) HAVE BEEN ERECTED  
SINCE JUNE 2004. THE GATES ARE CLOSED  
BUT UNLOCKED.

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

NO

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.

YES  
WORKED FOR LOCAL FARMER FROM THE AGE OF  
8 - 16 (1969 - 1977) J BRIDGE

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?

N/A

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

HAD SOME DIRTY LOOKS BUT NOT ACTUALLY TURNED  
BACK OR CONFRONTED AS YET

7b) 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.

LOCAL DOG WALKERS HAVE BEEN TURNED BACK  
SINCE THE ADJACENT HOUSING DEVELOPMENT  
BECAME INHABITED.

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.

NO

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 an 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.

NO PROBLEMS WITH USING THE ROUTE HAVE OCCURED UNTIL THE ADJACENT HOUSING DEVELOPMENTS RESIDENT ALLOWED THEIR DOGS TO FOUL THE FOOTPATH. RATHER THAN COMMUNICATING WITH THE OFFENDING OWNERS, THE RESIDENTS OF "LOVECLOUGH FOLD" CHOSE TO ERECT ~~THE~~ GATES THAT BY THEIR SHEAR DESIGN ACT AS AN IMPOSING DETTERENT TO ANYONE GOING THROUGH. ~~PERHA~~ I PERSONALLY HAVE NOT BEEN CHALLENGED & CONTINUE TO USE THE PATH, BUT I HAVE NOTICED THAT A SLOW ENCROACHMENT OF RESTRICTION IS TAKING PLACE COVERING DOG WALKERS, WALKERS, RUNNERS, CHILDREN FROM THE VILLAGE IT IS ONLY A MATTER OF TIME BEFORE I AM NEXT.

I hereby certify that, to the best of my 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: M. Brehford Date: 22-11-04