

**The Definitive Map and Statement of Public Rights of Way for the County of
Lancashire**

Wildlife and Countryside Act 1981

Lancashire County Council

**The Lancashire County Council Definitive Map and Statement of Public Rights
of Way (Definitive Map Modification) (No.6) Order 2012**

**Claimed Public Footpath from Conder Green to Nans Buck,
Thurnham, Lancaster City**

PROOF OF EVIDENCE – PETER HORNBY

1. I, Peter Hornby of 92 Printers Fold, Burnley, Lancashire, BB12 6PG, have lived in Burnley for 61 years, before then I lived in Simonstone, I am a Naturalist and enjoy walking and looking at the wildlife. In 1973 I came across the route marked A-J on the Order plan by using OS maps and following routes along the River Esturay and the Lune Estuary as the Esturays are great for wildlife viewing. I found the Conder Green car park on the OS maps and parked there and just walked down onto the shore, I soon realised from the trodden path that other people use this route. I always look for routes along the shore and Estuaries to view the wildlife as they have the nicest views.
2. I have used the route approximately 10-12 times per year since 1973 until now, I have never stopped using the route nor have I ever been asked to stop using the route. However I am aware from a change of ownership and that fencing was put up around Point A as shown on the Order map but I am not sure when the change of ownership occurred so I cannot provide any dates. Even though the fence was put up there was still a way I could access onto the shore and I was never prevented. I sometimes walk the route on my own and sometimes with my wife, I have in the past also walked it with other Naturalists. When I do walk the route its more than likely early in the monring as that's the best time to view the wildlife as they have not been disturbed, I more often than not see others walking the route.
3. I always walk the route A-J, and sometimes carry on from Point I to Lancaster, or once I get to J at Nans Buck I would walk along the access track to the pond to continue looking at the wildlife there. I then get back onto the route at J and walk back to down to A. On the very occasion I have walked back along the old railway line which is now known as the cycle track to save time if im in abit of a rush.

4. The route marked out on the plan is the one I always follow, I follow the trodden line on the ground from A-C and follow the sea wall and I continue to 'hug' the sea wall to approach Point D. Just before I reach Point D the ground changes from salt marsh to estuary mud and it is only practical to walk up onto the sea wall. This is a good place for me to stop with my telescope and enjoy looking at the view and the wildlife, I then continue still walking on top of the sea wall to F, as below the sea wall it is not practical. When I get to Point F I then start to walk down the wall, this is quite steep and I walk at an angle for sensibility. When walking past Pennyhill I have never had any problems or been approached by the owners, the hedge is quite tall so I don't think the owners can see people walking past anyway. I then walk from Point G along the edge of the marsh but still close to the bank as it's difficult to walk further out due to the salt marsh. I then approach Waterloo, I have spoken to the owners a couple of times and they are always pleasant, they are always interested in what wildlife I have seen along the way, I do recall a few years ago that they said they are quite happy with people using the route. I then continue along the route that is marked on the Order plan to J if I go to the Pond or to Point I if I turn back along the route or if I carry on to Lancaster. If I do walk back along the route I do always walk the exact same route back as that's the most suitable route for me.
5. I was approached by someone who I can't remember along the route after the fence was put up near Point A to ask if I was prepared to fill in a user form, as a user of the route I filled in the form as it's a route I like coming to walk every now and again. I don't know who owns the land now or who owned the land previously but I have never asked permission to use the route and I have never been challenged.
6. To me the route is well used as you can see a trodden path on the ground. Occasionally spring tides do come in and cover some if not all of the route, but the trodden line still exists once the tide has gone back out. I myself have never experienced a high tide as I time my walks when the tide is out, but it is clear from the ground where the tide has come in to.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement prepared in 2016 are true.

PETER HORNBY

Signed ..

Date

27/12/24