

DENNIS ROBINSON
75 BANKS ROAD
BANKS
SOUTHPORT
PR9-8JL

TEL 07889920043

Dear Doreen,

Please find enclosed witness statement
that you sent for signing,

I think the only thing that I can see
that needs allowing is the date on (27)
as I think that we moved to Banks as a family
(apx) 1961/62 and not the late (50's)
other than that I think we are as close as I
can remember things,

not sure what you need back so only
sent statement back if you require the other
part that you sent i.e. sheets that are printed
on blue and attached to the maps
just let me know and I will get them back

Kind regards

Dennis Robinson

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

**PUBLIC FOOTPATHS AT BANKS ENCLOSED MARSH, NORTH
MEOLS, WEST LANCASHIRE BOROUGH (DEFINITIVE MAP
MODIFICATION) ORDER 2014**

WITNESS STATEMENT OF DENNIS ROBINSON

1. My name is Dennis Robinson and I live at 75 Banks Road, Banks with my wife. I was born in 1951 and am a retired Quality Controller for a fruit importer. I have never been employed by any of the owners of the land crossed by the footpaths that run across Banks Enclosed Marsh (the 'Order routes').
2. I have known of the routes across Banks Enclosed Marsh since childhood having moved into the village with my family when I was 9 or 10 years old.
3. As a teenager I did some work for the tenant of High Brow Farm on George's Lane (Mr Baxter) who would have been a tenant farmer working some of the land crossed by the Order routes at that time. This would have been in the late 1960s-early 1970s but I never associated my use of the Order routes back then or at any point in the future as being related to that work and was never given permission to use them as a consequence of that work or any future work.

4. As a child I would play on the Outer Marsh and fish in the drains. We would picnic on the marsh and swim in the pools and channels. Back then many families would walk locally and children would play on the New Embankment and on the Marsh – it was the way of life.
5. As I got older my use of the area made the natural progression from play to walking for recreation and exercise. I got married when I was young and I recall using the routes across the Enclosed Marsh from approximately 1972 – 1974 which is when my wife and I were living in a caravan at the back of a couple's bungalow on Gravel Lane, Banks. My wife and I moved to our current address on Banks Road in 1973.
6. I completed five separate user evidence forms in 2012 confirming my use on foot of the five routes on Banks Enclosed Marsh. I completed the forms at the request of Kath Prince and other local residents who were gathering evidence of use of the footpaths after the landowner and members of a shooting syndicate started to challenge local people who were using the routes. Having known and used the routes since the 1970s I did not think this was right.
7. I have reviewed the content of each of my user evidence forms and this Witness Statement provides further information regarding my use.
8. Until 2012 I had never really had cause to think about or question whether the routes were public footpaths. I had walked

them for as long as I could remember.

9. With specific reference to Order route 1 which ran from Georges Lane to the New Embankment (shown between points A-B-C-D-E on the Order Map) I used it from about 1974 through to 2012. I was never stopped or turned back when using the route, and never sought permission or was given permission to use the route.
10. I used the route on foot, approximately 35-40 times a year walking with my wife and/or our children and with our dogs. I would occasionally use it on a bicycle but not often. I would often see other people walking the route when I was on it. I used the route in daylight and not secretly or with force.
11. I always used the route and never thought to question whether it was a footpath or not – I just thought it was. I recall a gate at the far end of the route (point D) that was usually locked but there was a stile by the side of it for people to climb over. I did not recall seeing any signs on the route until 3-5 years before I filled in my user evidence form (2007-2009) when a 'Private' sign was erected at the junction with George's Lane.
12. With specific reference to Order route 2 which ran from Charnley's Lane to the New Embankment (shown between points F-G-H-I on the Order Map) I used this route from about 1974 to 2012 when I completed the user evidence form. I was never stopped or turned back when using the route, and never

sought permission or was given permission to use the route. I recall a gate and stile at the far end of the Order route but access was never prevented.

13. I used the route on foot, often to get to the out marsh. I would use it alone or with my wife and/or children. Often, I walked it with our dogs. On average I used it about 150 times a year and I would often see other people walking it. I also used it occasionally on a bicycle.
14. I was never stopped or challenged when using the route although I heard of other people having been stopped around the time that I completed the user evidence forms in 2012. I also recalled a 'Private' sign being erected at the end of Charnley's Lane 3-5 years prior to 2012.
15. With specific reference to Order route 3 which ran from the bridleway at Fiddler's Ferry along the old sea embankment to the footpath along the New Embankment (shown between points J-K-L-M-N-O on the Order Map) I also used this route from 1974 onwards. I always believed the route to be a public footpath.
16. I used the route on foot for exercise and pleasure. I estimated that I used it about 100 times a year would often see other people walking it. Occasionally I would also see people using it with bicycles although I think I only ever used it on foot.
17. You used to be able to walk along the top of part of the old

embankment through to the New Embankment as well as walking along the track on the seaward side.

18. I remember that part of the old embankment was fenced with stiles providing access along the footpath. At least once a year the cattle that grazed the New Embankment were allowed into the fenced off area for 2-3 weeks to eat the grass. This kept the grass down and made it easier to walk the path.
19. I can't remember exactly when but approximately 3-5 years before 2012 Private signs were erected at the start of the route (near to point K) and a fence erected at the other end (point N) so that you couldn't get onto the New Embankment. During that time, I heard that people had been stopped and challenged when using the route but before that time I had never heard of anyone being challenged.
20. I was never stopped or turned back when using the route. I never sought permission to use it and always believed it to be a public footpath. I only stopped using the route when the fence was erected and the ditch enlarged across the western end.
21. With specific reference to Order route 4 which ran from the bridleway at Fiddler's Ferry along the track to the New Embankment (shown between points K-P-Q-R on the Order Map) I also used this route from about 1974 to 2012. I always believed the route to be a public footpath.
22. I used the route on foot to get to the out marsh and to walk along

the footpath on the New Embankment. I used this route quite regularly – probably about 250 times a year because it was close to where I live and was therefore part of my regular dog walk. As well as walking the dogs I sometimes walked with my wife and/or our children. Occasionally I used the route on a bicycle but not often.

23. I would often see other people using the route at the same time as me - mainly on foot and often with dogs.

24. I recall that there was a gate and a stile at the far end of the route. The gate was locked although I can't remember if it was always locked. There was a stile that people used on foot.

25. I was never stopped or turned back when using the route until 2011 when a new dog that I was training ran from the route across the sprout field and I had to go after it. A man out on the marsh shooting told me that I shouldn't be there. Private signs also appeared on the land from about 2008 onwards. Before that time, I had never heard of anyone being stopped or challenged and had no cause to question whether the route was a public footpath or not – I just thought it was and used it.

26. With specific reference to Order route 5 which ran from Cross Bank Cottage through the wood to the footpath along the New Embankment (shown between points S-T-U-V on the Order Map) I remember this route from childhood.

27. As a child in the late 1950s/early 1960s we would play in the

woods and I do recall there being a gamekeeper who would chase us out on occasion, presumably to discourage children being there..

28. As I got older, I used this route from about 1974 to 2012 to walk for pleasure approximately 25-30 times a year. When they were young, I would sometimes take my children as it was a good place to show them how to respect nature and nurtured in my son a love of the countryside that eventually led to him becoming a biologist.

29. I only ever used the route on foot and would see other people walking it. There was a well-trodden path all the way through the wood along the top of the embankment. I was never stopped or turned back when using the route, and never sought permission or was given permission to use the route. I always believed the route to be a public footpath although in 2011 I was told that the route was private by a member of a shooting syndicate.

30. I recall a fence across the route at the New Embankment that had a gap in it wide enough to walk through. This had always been there because cattle grazed the New Embankment. Access onto the route adjacent to Cross Bank Cottage was never restricted or fenced.

31. Only since 2008 do I recall signs saying the land was private and heard about other people being stopped by people shooting.

32. In summary, I have known of and used the full lengths of Order routes 1, 2, 3, 4 and 5 from about 1974 through to 2011-2012 and I have always believed the routes to be public footpaths.

STATEMENT OF TRUTH

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

Signed: Dennis Robinson Date: 16-03-2023