

**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 MRS LINDA LINNELL

1. My name is Linda Linnell and I live at 80 Lancaster Drive, Banks, PR9 8AS. I am a retired teaching assistant, and I have never been employed by any of the owners or tenants of the land crossed by the footpaths that run across Banks Enclosed Marsh (the 'Order routes').
2. I have known about the existence of the paths across the enclosed marsh since moving to Banks from Buckinghamshire in 1969. I don't remember using the paths straight away as my children were only two and three and a half years old at the time so couldn't walk very far. However, three to four years after moving to Banks we got a dog, and I started to explore more.
3. I found the paths leading out to the New Embankment and because there were no signs saying that they were private I went along them. As the children got older, I started to walk the routes as part of various circular walks from home from around 1977 onwards.
4. I completed my user evidence forms for Order routes 1, 2, 3 and

4 in May 2012.

5. I completed the forms at the request of Kath Prince and other residents who were gathering evidence of use of the footpaths after the landowner started to challenge local people who were using the routes. Having known and used the routes since moving to the area I did not think this was right.
6. I have reviewed the content of each user evidence form that I completed, and this Witness Statement provides further information regarding my use.
7. My use of routes would vary depending on how far I wanted to walk, the weather, how much time I had available, whether the children were with me and how I felt on any day. I often walked our dog along the routes and my use was quite frequent over the years. Because the routes all radiated out to the New Embankment, I would generally walk a circuitous route travelling out to the New Embankment along one route and return along another route varying which ones I used to give me different views and walks of different lengths each time. Sometimes I walked there and back along the same route.
8. 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 started using the route in about 1977 and continued to use it through to 2012 when I completed the user evidence form. During all that that time, I was never stopped or

turned back when using the route, and never sought permission or was given permission to use the route.

9. I used the route on foot and would estimate that I would use it on average 3-4 times a month. I only used the route on foot and would often see other people walking it to. I recall a stile in the fence which provided access onto the footpath along New Embankment. There was also a gate, but I think this was often locked. I believed the route that I was using was a public footpath there was nothing to say that it wasn't.
10. 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 also used this route from about 1977 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.
11. I used the route on foot and estimate that I would use it on average 20-50 times a year depending on the weather and more frequently in the summer. I only used the route on foot and would often see other people walking it. I recall a stile in the fence which provided access onto the footpath along New Embankment. There was also a locked gate but because of the stile we didn't need to use the gate. I believed the route to be a public footpath.
12. With specific reference to Order route 3 which ran from the bridleway at Fiddler's Ferry along the Old Embankment to the footpath along the New Embankment (shown between points J-

K-L-M-N-O on the Order Map) I used this route from about 1977 onwards. I believed the route to be a public footpath.

13. I would estimate that I would use route 3 on average 20 times a year. I only used the route on foot and would often see other people walking it. 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.

14. I recall a gate at the western end of the route where it joined the New Embankment and noted on my user evidence form that this was locked but that it did not prevent me from using the route on foot.

15. With specific reference to Order route 4 which ran from the bridleway at Fiddler's Ferry to the new embankment (shown between points K-P-Q-R on the Order Map) I used this route from about 1977 through to 2012.

16. I used the route on foot for leisure purposes on average 20 times a year. I only used the route on foot and would often see other people walking it. I also saw people on horses and cycling along the route although I don't recall horses getting onto the New Embankment.

17. 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.

18. I recall that there was a gate and stile at the embankment end of the route. The gate was sometimes locked but not always. You could always use the stile though if that was the case.

19. I understand that there is another route that is being disputed that went through the strip of woodland adjacent to Cross Bank Cottage. I did not complete a user evidence form for this route because I didn't use it.

20. In summary, I have known of and used the full lengths of Order routes 1, 2, 3 and 4 since 1977 after moving to the village 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: D. E. Linnell

Date: 16th March 2025