

**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 PAULA BONE

1. My name is Paula Bone and I live at Marsh View, Charnley's Lane, Banks PR9 8HJ. I was born in 1941 and am a retired doctor's receptionist. 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') or by been their tenant.
2. I grew up in Churchtown, Southport and moved to Banks in 1967 after I was married. My husband and I lived at Hoole Lane in Banks for the first twenty years and then moved to our current home on Charnley's Lane in 1988. Charnley's Lane leads directly to Order route 2 and indirectly to all of the other Order routes.
3. I was not aware of the Order routes until I moved to Banks. My husband was familiar with the routes from being a child living and playing in the area and it was he who showed them to me after we started living in Banks.

4. In 2012, along with my late husband, I completed five user evidence forms confirming my personal use on foot of all five routes crossing Banks Enclosed Marsh.
5. I completed the forms at the request of Kath Prince who, together with other local residents, was 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 the 1960s I did not think this was right.
6. I have reviewed the content of each of my user evidence forms and this statement provides further detail about my use of the routes.
7. I have used the Order routes mostly on foot and mainly for the purpose of walking our dogs around the Enclosed Marsh and along the sea embankment. My use of routes would vary depending on how far I wanted to walk, the weather, how much time I had available and how I felt on any day. Because the routes all radiated out from the track that runs adjacent to the Old Embankment to the New Embankment, I would generally walk a circuitous route travelling out to the New Embankment along one route and returning along another route. I would vary which ones I used to give me different views and walks of different lengths each.
8. Whilst I have never personally ridden along the Order routes, my children have ridden ponies along the routes with me accompanying them on foot. We had ponies for approximately

five years from 1982 and they were stabled behind 42 Hoole Lane, Banks. We mainly used the route which runs from Banks Road to New Lane Pace following the route of the Old Embankment and which is now recorded as a public bridleway but would also occasionally ride up and down the routes as far as the stiles onto the New Embankment. I do not remember them riding along the Order route through the wood (Order route 5).

9. The Order routes I use most frequently are the Charnley's Lane route (Route 2) and the George's Lane route (Route 1) as these form a nice circular route. I walk up Charnley's Lane, then turn right on to the bridleway and pass Cross Bank Cottage heading towards George's Lane. I then turn left on to Route 1, following it to the end and up on to the new sea embankment. I turn left on the sea embankment and walk past Cross Bank Wood on my left until I reach Route 2. I then walk along Route 2 to go back home down Charnley's Lane. I would use Routes 1 and 2 almost daily throughout the year when I was younger and have done so since 1967-68.
10. I always use the Order routes in daylight, never in darkness.
11. Since I have been using the Order routes they have always followed the same routes.
12. 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 the route from 1967-68 to 2012.

13. I was never stopped or turned back when using the route, and never sought permission or was given permission to use the route. My neighbor was stopped in 2012 but before that time I was not aware that people were being stopped or challenged.
14. I used the route on foot, often daily for approximately 52 weeks of the year. I referred to using the route on a bicycle in my user evidence form but this was actually the bridleway which ran from Banks Road to New Lane Pace which I used until my knees got too painful in about 2010.
15. When I used the Order route, I recall people riding horses along it from about 1980 onwards – at the time my children had ponies – but this use was infrequent and was often children riding up and back down the track as an extension from riding along the bridleway.
16. I recall a stile in the fence which provided access onto the footpath along New Embankment and a gate which I don't recall being locked until more recent times (2012). Cattle grazed the New Embankment so the stile was there to stop them getting onto the fields.
17. I don't recall seeing any notices along the route indicating that the land was private and access was not permitted until signs were erected in around 2012 and I always believed the route to be a public footpath. I regularly met other walkers with their dogs so assumed it was part of a network of public footpaths.

18. 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 1967-68 to 2012.
19. During 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.
20. I used the route in daylight and on foot to get to the New Embankment to go for a walk. I would regularly use the route 5-7 times a week as it was the most direct way out to the marsh from where I lived on Charnley's Lane.
21. I only used the route on foot and would often see other people walking it. I also recall seeing people ride horses along it – including my own children for a short period in the 1980s but they had to turn round and return along the track to the bridleway at the far end of the track.
22. I recall a stile in the fence which provided access onto the footpath along New Embankment and a gate which was usually locked. I always believed the route to be a public footpath.
23. With specific reference to Order route 3 which ran from the bridleway at Fiddler's Ferry along the old sea defense 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 1967-68 to 2012.

24. I used the route on foot, on average 60-70 times a year. I only used the route on foot and would often see other people walking it. I also remember seeing people riding horses along it although they had to turn back and retrace their steps to the bridleway. I sometimes saw vehicles parked on the track at the start of the route at Bank Pace.
25. I was never stopped or turned back when using the route, and never sought permission or was given permission to use the route.
26. 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 1980 to 2012. I always believed the route to be a public footpath.
27. I used the route on foot as part of walks I would do from home. I used this route quite regularly – probably about 80 times a year depending on the weather and how much time I had available.
28. When I used the route I would often see other people using it at the same time either on foot or sometimes on horseback but again the horses would turn back at the New Embankment.
29. I was never stopped or turned back when using the route and do not recall any signs saying that the land was private or that access along the route was not allowed. I never had cause to

question whether the route was a public footpath or not – I just thought it was and used it.

30. 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) it is a long time ago but I stated in my user evidence form that I used this route from 1980 to 2012 rather than from 1967-68 onwards.
31. I cannot recollect why I stated that I only used this route from 1980 onwards but do not recall any reason why I would not have used it prior to then. I clearly remember a well-trodden path running along the top of the embankment through the woods.
32. I used the route on foot to get onto the New Embankment on average 60 to 80 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.
33. I don't recall any signs indicating that the woods were private or access not allowed. Neither do I recall bird feeders or bird pens in the wood. From the side of Cross Bank Cottage you could walk onto the route and then along the path through to the New Embankment where there was a narrow gap in the fence to allow people to get through but which stopped cattle

getting into the wood.

34. In summary, I have known of and used the full lengths of Order routes 1, 2, 3 and 4 from 1967-68 and Order route 5 from at least 1980.

STATEMENT OF TRUTH

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

Signed: *P. Boro*

Date: *10 - 03 - 2025*