



Public Right of Way User Evidence Statement

Revised April 2018

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential.

- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

DECLARATION

Data Protection Legislation

Under the Data Protection Act and the General Data Protection Regulation the OMA has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the OMA's website.

Please print your name here MRS MAGGIE LEE

Your: Home Telephone Number

Mobile Telephone Number 0779 5555 704

Email Address

Statement of Truth

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATION ABOVE

Your Signature: *Maggie Lee*

Date: 8.2.25

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Information on this page of the Statement will be redacted and not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

MAGGIE LEE

Address

20 LIMEFIELD ST

ACCRINGTON

LANCS

Postcode BB5 2AF

Year of Birth

63

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

N/A

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

THROUGH OPEN ACCESS AT END OF SCHOOL CAR PARK + MAINLY ALONG WELL WORN PATH THROUGH CENTRE OF FIELD (SHOWN ON MAP)

ACCESS POINT - GAP BETWEEN METAL BARRIER + FENCE OR RUDIMENTARY GAPS BUILT INTO PERIMETER FENCE FROM COLLEGE SIDE (SHOWN ON MAP)

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route? ACROSS CENTRE OF FIELD MAINLY

From 1993 To ^{INFREQUENTLY TO} PRESENT (diverted ^{slightly} due to erected fence)

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why? CENTRAL PATH (ON MAP)

~~WALK~~ DURING PERIOD IN QUESTION (UP TO 2005) USED ALMOST

DAILY - SO NO EXTENDED PERIODS AT ALL USED ONLY AS

ACCESS FOR MAIN ROUTE ... DIVERTED ... SLIGHTLY ... DUE TO

FENCE ERECTION . WALKED MANY ROUTES ACCEPTED IN AREA

SORRY I CANT REMEMBER ^{EXACT} DATE/YEAR OF THIS . BUT MOVED

WALKING TO TOP ROUTE (NO LONGER THROUGH THE MIDDLE)

ON REQUEST OF SCHOOL (MADE KNOWN BY ERECTION OF

FENCE) + DOG UNDER CLOSE CONTROL AT ALL TIMES .

FROM 2005 - 2007 REDUCED USAGE IN RESPECT OF REQUEST .

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	✓	✓				
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

DOG WALKING ROUTE.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
- (b) on horseback
- (c) on bicycle/horse-drawn vehicle
- (d) with motorised vehicle
- (e) other, please specify

✓

6. Were they using exactly the same route as you? YES ✓ NO ✓

If not please give provide details below: (please attach a separate sheet is necessary) THE FIELD HAD APPROX 5 POINTS OF ACCESS; EITHER OPEN OR STILE. WORN PATHS CROSSED THE FIELD LEADING INTO THE CLOUGH AND RIVER AREA. (NOTED ON MAP)

.....
.....
.....
.....

6. Has the application route always followed the same course?

Yes

Don't know

No

If no – how and when was the route altered?

AS PER MAP USUAL ROUTE (FROM CAR PARK ACROSS CENTRE OF FIELD). ROUTE ALTERED TO TOP PATH (AS NOTED ON COUNCIL MAP) ON ERECTION OF METAL FENCE BY SCHOOL OR CONTINUED AVAILABLE ACCESS FROM COLLEGE FENCING GAPS + STILES

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

APPROX ONE FOOT WIDTH (SINGLE FILE FOOTFALL)

.....
.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

WELL WORN EARTH PATH THROUGH GRASS CROSSING FIELD

.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

NOT ON APPLICATION ROUTE - OPEN ACCESS THROUGH GAP IN FENCING SHOWN ON MAP WHERE STILES/OPEN ACCESS TO FIELD WERE

How long were they in place?

b. Gates [state locations, indicate whether locked – and when - and show on your map]

AS ABOVE

METAL CAR BARRIER WAS IN PLACE ON SCHOOL CAR PARK BUT OPEN FOOT ACCESS PRESENT

c. Other barriers [state what they were and location, how long they were in place and show on your map]

METAL FENCE WAS ERECTED FROM 'SCHOOL TO POINT A', + FROM POINT E ALONG SHOWN ROUTED PATH/LANE TO MY INDICATED FOOT ROUTE EXIT/ENTRY POINT IN THE CLOUGH

10. Did any of the above prevent you from using the application route?

No

Yes

If yes, please give details

SUGGESTED PROVISION TO A POINT BUT FOOTPATH ACCESS STILL AVAILABLE AT END OF FENCE (METAL) THROUGH GAP IN BARBED WIRE FENCE AT TOP OF FIELD AND ALONG ROUTE INDICATED

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

No NOT PROMINENTLY DISPLAYED AT ALL ACCESS POINTS

Yes

Don't know

If yes – state when and give details, including when they were present and mark their location on your map

BELIEVE A SIGN WAS BRIEFLY DISPLAYED AT GATE POINT NR SCHOOL BUT NOT ON OR NEAR ANY STILES PROVIDING ACCESS TO FIELD

12. Have you seen other people using the application route whilst you have been using it?

No

Yes

If yes, please provide any additional information about this

AS STATED IT WAS LOCALLY ACCEPTED AS A FOOTPATH UP TO ERECTION OF FENCE ALONG PARTS OF THE PERIMETER BUT NOT ALL

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No

Yes

If yes, provide details and dates

VOLUNTEERED AS PLAY GROUND ASSISTANT FOR SHORT PERIOD OF TIME IN 2005'ish

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No

~~STIVES TO FIELD~~
STIVES TO FIELD SUGGESTED RIGHT OF WAY
OPEN ACCESS

Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No

SHOWD PATH BY LOCAL DOG WALKERS ON MOVING
INTO AREA . OPEN ACCESS TO FIELD + STIVES VISIBLE

Yes

SO NEVER QUERIED AS VISIBLE WELL WORN PATHS
CROSSED THE FIELD

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

No

ASKED IN 2005 (LATE) WHY FENCE ERECTED - TOLD BY LOCAL DOG
WALKER FIELD WAS HOPEFULLY TO BE USED AS OUTDOOR EDUCATION
SPACE BUT ROUTE IN QUESTION WAS HOPEFULLY TO REMAIN OPEN
FOR DOG WALKING ON LEAD .

Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

No

Yes

If yes, please give details including when this happened

.....
.....
.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

No

Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

No

Yes

If yes – please provide details

.....
.....
.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

AS STATED ON MOVING INTO AREA I WAS SHOWN ALL LOCALLY AVAILABLE PATHS (SHOWN ON YOUR MAP DENOTED AS ----) MAIN USAGE

BY THE WAS ON RETIREMENT IN 2003 WHEN I WAS ABLE TO BECOME
A DOG OWNER... ALL PATHS USED BY ME HAD OPEN OR STILE
ACCESS + WERE WELL WORN PATHS. I HAVE NEVER BEEN
CHALLENGED OR PREVENTED FROM USING THEM AT THE TIME
EVEN ON ERECTION OF FENCE ACCESS WAS STILL
AVAILABLE FROM THE COLLEGE SIDE + ABOVE METAL FENCE.

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

Yes

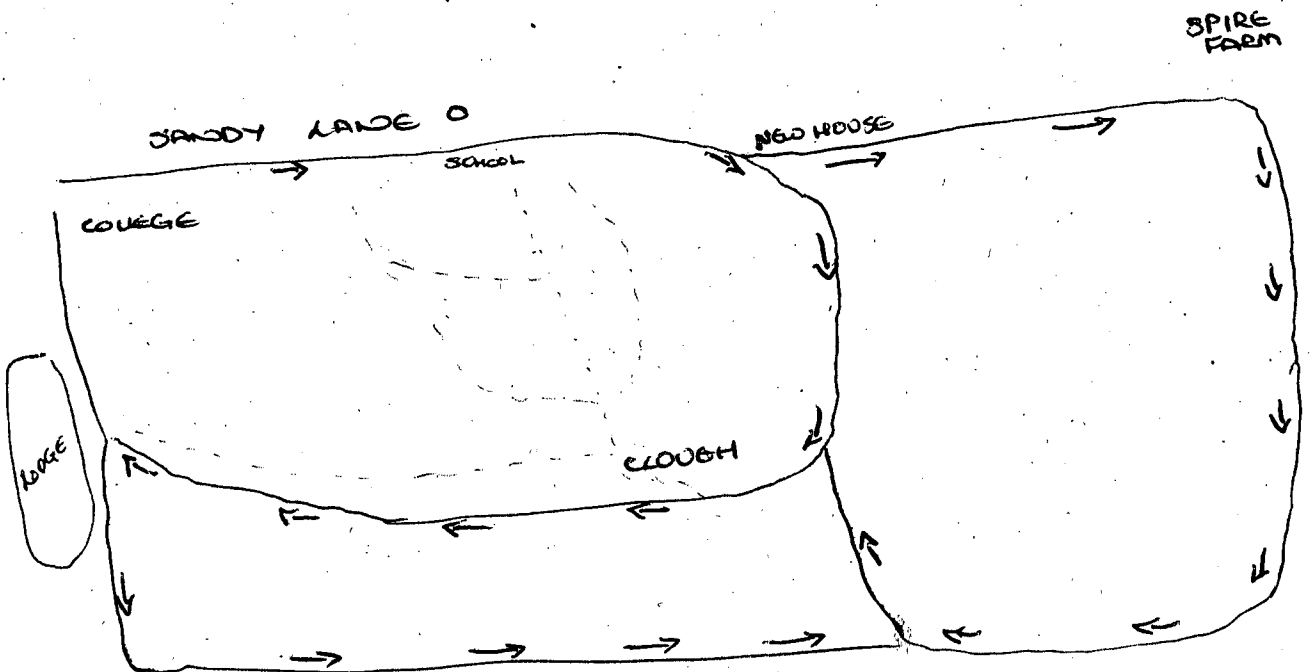
No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

Yes

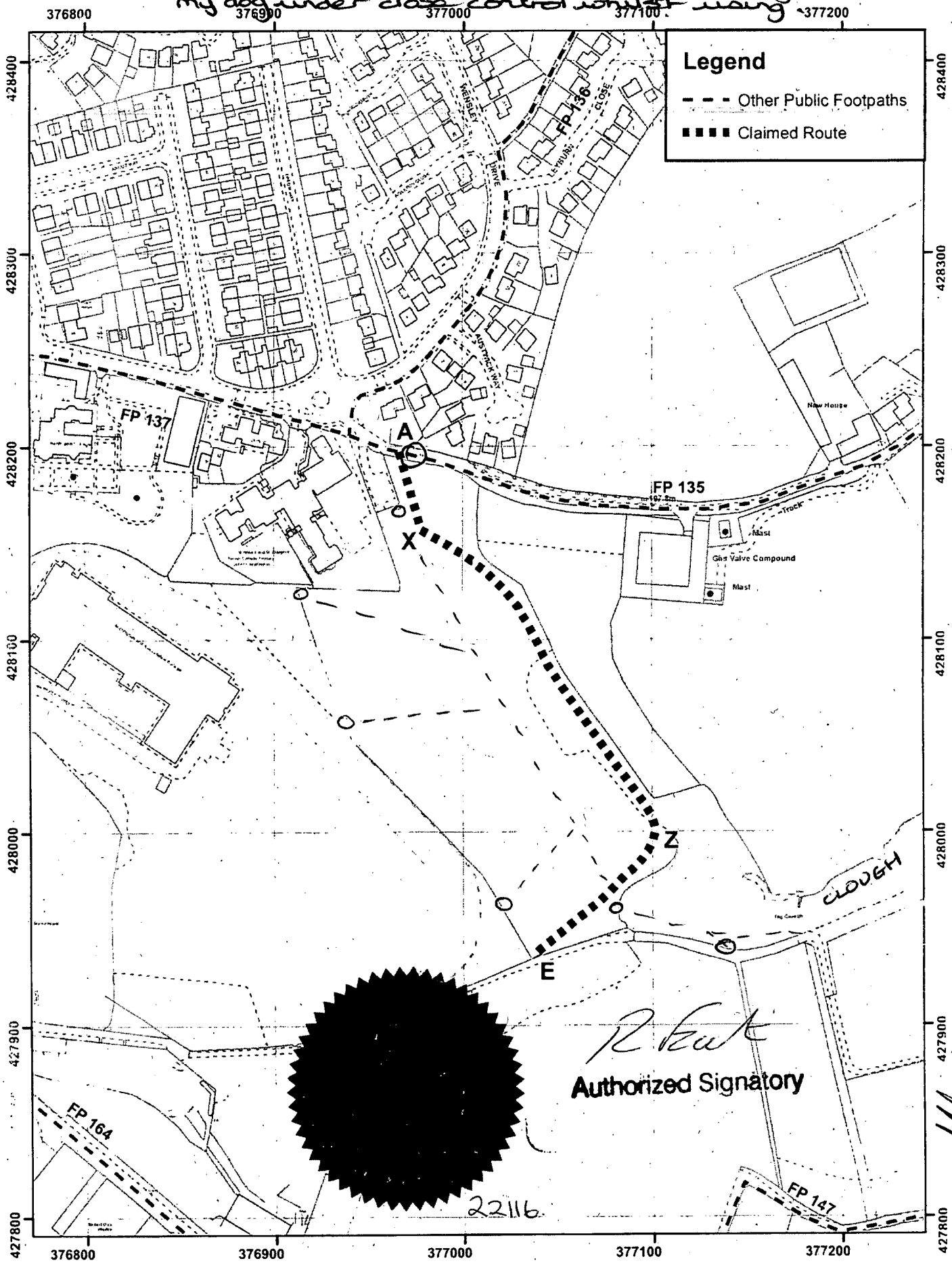
No

MAIN WALKING ROUTE WAS LANED UP AND AROUND THE
COLLEGE + SCHOOL, THROUGH THE CLOUGH + FARM LAND.
THE SCHOOL FIELD WAS ACCESS ONLY TO THIS MAIN ROUTE.



I DID REDUCE USAGE ON ERECTION OF FENCED AREA.
I UNDERSTAND THE SCHOOL'S DESIRE FOR OUTDOOR
ADVENTURE AREA BUT OPEN ACCESS REMAINED AVAILABLE
AT MANY POINTS AS INDICATED ON MAP,
STOPPED REGULAR USAGE ON DEATH OF MY DOG

NB **Delores path used once school asked for consideration re outdoor classes use + erection of metal fence. my dog under close control whilst using**



Legend

- - - Other Public Footpaths
- ■ ■ Claimed Route

<p>Lancashire County Council</p>	<p>Jo Turton Executive Director for Environment</p>	<p>Wildlife & Countryside Act 1981 Claimed Public footpath southward from Public footpath no. 135, Accrington, Hyndburn Borough Claim no. 804-466</p>	<p>1:2,500</p>	
<p>The digitised Rights of Way information should be used for guidance only as its accuracy cannot be guaranteed. Rights of Way information must be verified on the current Definitive Map before being supplied or used for any purpose. This Map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to Prosecution or civil proceedings. Lancashire County Council Licence No. 100023320</p>				

Allee 8.2.25.

NB ○ - Denotes access points available at time dispute started. Prior to school erecting metal fence (APPROX LOCATIONS).
- - - Denotes well worn paths across field + college.