Lancashire County Council

Public Right of Way User Evidence Statement

Revised April 2016

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 Act 1998

Under the Data Protection Act 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
Nicholas Edward John Webster.....

Your: Home Telephone Number
01524 63530.....

Mobile Telephone Number
07527803046.....

Email Address
Nicholas.webster6@gmail.com
.....

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: 

Date: 4-9-17

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name... Nicholas Edward John Webster

.....

Address... Silver Lune,
Aldcliffe Hall Drive,
Lancaster
.....

.....

.....
.....Postcode ...LA1 5BG.....

Year of Birth
06/01/1946.....
.....

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]

.....

.....

ABOUT THE APPLICATION ROUTE

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

X 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.

Aldcliffe Hall Drive from East Lodge to junction with Aldcliffe Hall Lane

(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.)

.....

.....

.....

.....

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?

From 1960..... To ...present day.....

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

.....

.....

.....

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	x					
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.

Walking my dog 3 times a day since 1959.....

.....

.....

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)

.....

.....

.....

.....

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

☐ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

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']

15
ft.....

.....

.....

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]

.....

.....

.....

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

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

Concrete bollards situated on the border between Ashlar Lodge and Aldcliffe Heights. Placed there circa 1960 under a Lancaster City Covenant in order to prevent vehicular traffic using the driveway as a through route

.....

.....

.....

How long were they in place?

From 1960 to present

.....

.....

.....

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

Historically, there was a single span gate hung between the large gateposts alongside East Lodge. There was a small pedestrian gate in the garden wall of East Lodge allowing pedestrians from Aldcliffe Village to bypass the closed main gate.

In my residency in Aldcliffe,the main gate was never closed and fell off its hinges in the 1960s.

.....

.....

.....

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

.....

.....

JAMES JACKSON (HALIFAX) LTD
LEGAL STATIONERS
HALIFAX

This Conveyance

INLAND REVENUE
PRODUCED
FINANCE ACT

is made the Thirtieth day of June One thousand nine hundred and fifty nine

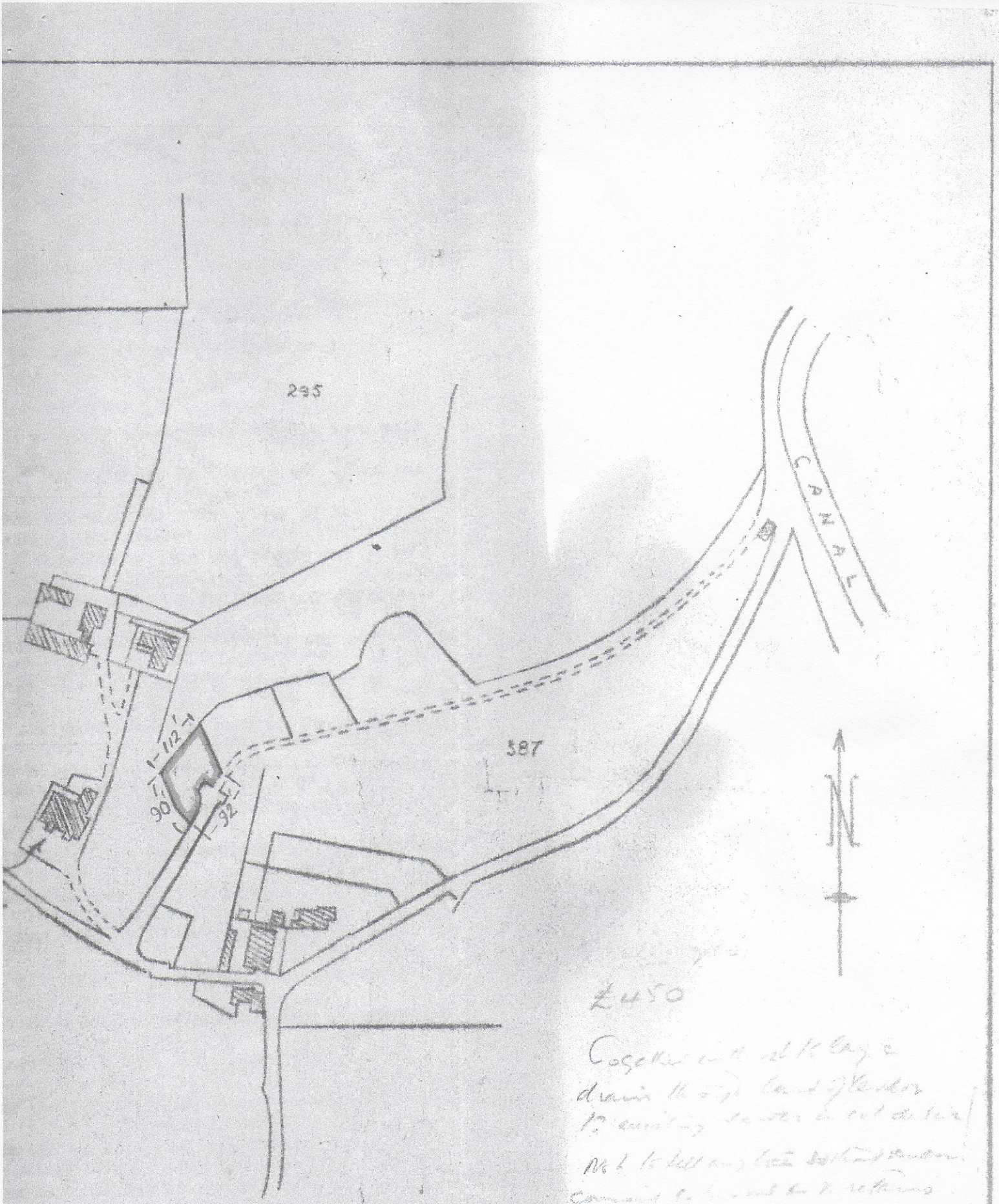
BETWEEN MURIEL TOWNLEY of Bailrigg near Lancaster in the County of Lancaster wife of Barton Townley (hereinafter called "the Vendor") of the one part and JOHN WEBSTER of 226 Torrisholme Road in the City of Lancaster Safety Officer and LILIAN ISOBEL WEBSTER his wife (hereinafter called "the Purchasers") of the other part

WHEREAS the Vendor is seised of the property hereinafter described (together with other property) for an estate in fee simple in possession free from incumbrances and has agreed to sell the same to the Purchasers for the like estate in possession free from incumbrances at the price of Four hundred and fifty pounds

NOW THIS DEED WITNESSETH as follows:-

1. In pursuance of the said agreement and in consideration of the sum of FOUR HUNDRED AND FIFTY POUNDS to the Vendor now paid by the Purchasers out of moneys belonging to them on a joint account (the receipt whereof the Vendor hereby acknowledges) the Vendor as BENEFICIAL OWNER hereby conveys unto the Purchasers ALL THAT piece or parcel of land situate on the North side of the Drive leading to Aldcliffe Hall in the said City of Lancaster being bounded on the East by property belonging to David Martin and on the remaining sides by other property of the Vendor ALL which premises with the dimensions thereof are more particularly delineated and described in the plan annexed to these presents and thereon coloured red TOGETHER with a right of way from the said plot or parcel of land hereby conveyed for the Purchasers and their successors in title in common with the Vendor

and her successors in title and all other persons authorised by her or them at all times and for all purposes and with or without vehicles over suchportion of the said Drive as lies between the easterly boundary of the property hereby conveyed and the road leading from Aldcliffe Village across the Railway to the Shore known as Aldcliffe Hall Lane AND TOGETHER WITH a right of way on foot only from the plot or parcel or land hereby conveyed for the Purchasers and their successors in title and their tenants servants and guests in common as aforesaid over such portion of the said Drive as lies between the said easterly boundary of the property hereby conveyed and Aldcliffe Road AND TOGETHER ALSO with a right in common as aforesaid to connect with and use for the benefit of the dwellinghouse or bungalow intended to be erected by the Purchasers on the said plot or parcel of land hereby conveyed a proposed sewer intended to be laid by the Vendor and to the free passage and of running of water and soil thereby and to the water main to be laid AND TOGETHER with the right for the Purchasers and their successors in title to lay a drain through the adjoining land of the Vendor to the existing sewer in the cul-de-sac shewn on the said plan RESERVING to the Vendor and her successors in title and all other persons authorised by her or them the right to connect with and use any gas or water pipes or any electric cables which may at any future time be laid in under or through the property hereby conveyed TO HOLD the same unto the Purchasers in FEE SIMPLE as joint tenants SUBJECT to the provisions of an Undertaking and covenant dated the Eighteenth day of January One thousand nine hundred and fifty six and made by the Vendor and Aldcliffe Hall Estates with the Mayor Aldermen and Citizens of the said City of Lancaster so far as the same affects the property hereby conveyed AND SUBJECT to the covenants on the part of the Purchasers and to the


295
387
CANALE
1-112-1
90
32
N

tarmac.....
.....

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

☐ No

☐ Yes

If yes, please give details

.....

.....

.....

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

☐ Yes

☐ Don't know

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

...For some years, the was a sign attached to the gateposts at East Lodge stating that it was not a bridleway
.....

.....

.....

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

I can state with accuracy that Aldcliffe Hall Drive has been in constant daily use by local residents, Lancaster townsfolk and visitors primarily on foot and bicycle.....

.....

.....

.....

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

.....

.....

.....

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

☐ No

☐ Yes

If yes,

a. From whom? My deeds allow me and my visitors free passage on foot North and South along the drive.....

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

☐ Yes

If yes, by whom and when?

The driveway is owned by Aldcliffe Estates and is a un-adopted private road... My

deeds allow me and my visitors free passage on foot North and South along the drive.....
.....

.....

.....

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

☐ No

☐ 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

? My deeds allow me and my visitors free passage on foot North and South along the drive.....
.....

.....

.....

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 the resident who has lived in Aldcliffe for the longest time (57 years) and the person who co-wrote the history of Aldcliffe...I can state with accuracy that Aldcliffe Hall Drive has been in constant daily use by local residents, Lancaster townsfolk and visitors primarily on foot and bicycle. Pedestrians and cyclists have always been welcomed. However, horse riders have always been turned back as they have been abusive and uncooperative in cleaning up their horse dung which is a serious tripping hazard at night on this unlit road.in addition their hoses hooves have damaged the ageing tarmac and grass
verges.....
.....

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

Lancashire County Council

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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 MANJEET LAMBA

Your: Home Telephone Number 01524 848409

Mobile Telephone Number 0787 636 4031

Email Address manjeetlamba@hotmail.co.uk

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: M.K. Lamba

Date: 12/Sept/2017

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name MANJEET LAMBA

Address 42 REGENT St

LANCASTER

Postcode LA1 1SQ

Year of Birth 1953

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]

No.

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.)

.....

.....

.....

.....

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 <u>precise</u> 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?

   From ....1981..... To .....~~to~~ On going.....

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

   .....No.....

   .....

   .....

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.

Pleasure. The route joins up with existing footpaths down to the estuary and then along to Glasson Dock.

.....

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)

.....

.....

.....

.....

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

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']

.....

.....

.....

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]

...tarmac.....

.....

.....

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

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

No

How long were they in place?

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

No.

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

bollards about two thirds of the way along the route.

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

☒ No

☐ Yes

If yes, please give details

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

☒ No

☐ 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

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☒ No

☐ 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

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

☐ Yes

☐ Don't know

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

.....

.....

.....

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

Other walkers and cyclists

.....

.....

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

.....

.....

.....

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]

This route has, for over 37 years, provided

me with access to beautiful countryside and not having to worry about being run over by cars and lorries.

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

Lancashire County Council

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Please print your name here ..... John Trevor BAUGH .....

Your: Home Telephone Number ..... 01524 840793 .....

Mobile Telephone Number ..... 07776 167643 .....

Email Address ..... trevor.baugh@cityblock.co.uk .....

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:

Date: 21/8/17

You should keep a copy of the completed statement

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Information on this page of the Statement will be redacted and <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ..... John Trevor BARGH .....

Address ..... TUFTON WARREN .....

..... BRETTARGH DRIVE .....

..... HAVERBREAKS, LANCASTER .....

..... Postcode ..... LA1 5BN .....

Year of Birth ..... 1958 .....

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]

..... 4 WINGATE SAUL ROAD, (1958 - 1969) .....

THE CEDARS, WESTBOURNE (1969 - current parents - lived on Haverbreaks for 20 years + address).

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.)

up the driveway from Aldcliffe Road, past the lodge on left, up hill for circa ½ mile, without obstacle

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.

See attached map.

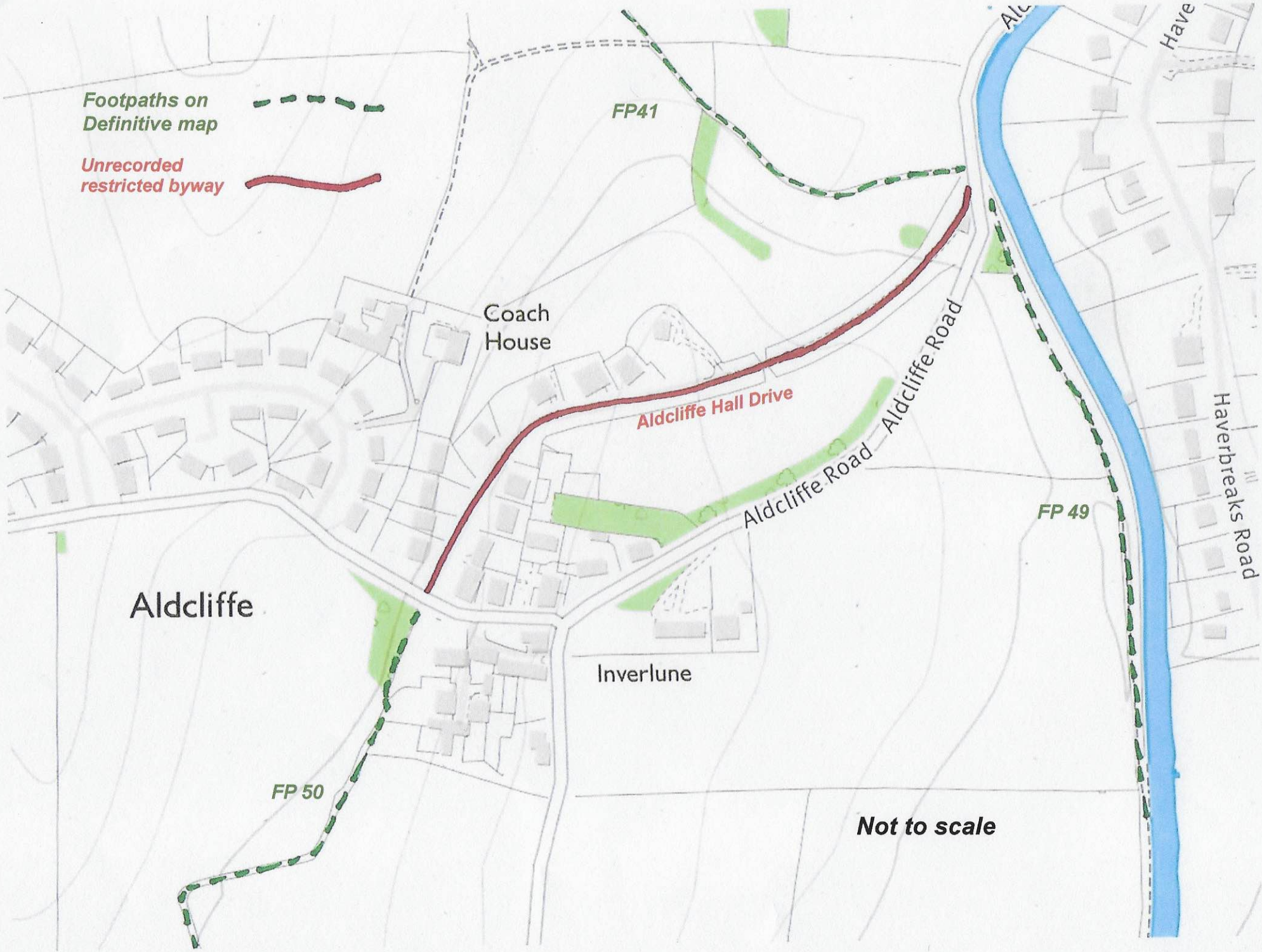
YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

   From 1969 To 2017

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

   used at least annually


Footpaths on Definitive map
Unrecorded restricted byway
FP41
Coach House
Aldcliffe Hall Drive
Aldcliffe Road
Aldcliffe Road
FP 49
Haverbreaks Road
Aldcliffe
Inverlune
FP 50
Not to scale

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.

Pleasure

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)

.....

.....

.....

.....

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

☑ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

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 7 feet

.....

.....

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]

tarmac

.....

.....

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

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

not aware

How long were they in place?

N/A

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

- may have been gates but not locked
- for most of the time no gates at all

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

- not known.

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

☑ No

☐ Yes

If yes, please give details

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

☐ Yes

☐ Don't know

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

.....

.....

.....

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

– other walkers on a regular basis

.....

.....

.....

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

.....

.....

.....

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

☑ No

☐ 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

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☑ No

☐ 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]

.....

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.....

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

Public Right of Way User Evidence Statement

Revised April 2016

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 Act 1998

Under the Data Protection Act 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 ……Paul Ferguson……..

Your: Home Telephone Number ……01524 39390……..

Mobile Telephone Number ……07860 530576……

Email Address ……paulfergz@gmail.com……..

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: Paul A Ferguson

Date: 1.09.17

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Paul Ferguson
……

Address Flat 1, 3 Croftlands, Westbourne Road, Lancaster
……

……

……

……Postcode ..LA1 5DD……...

Year of Birth 1965
……

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]

2008-2011 Langley Road 2002-2008 Bradshaw St
……

……

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.)

….. Aldcliffe Hall Drive. It runs from the canal, by Haverbreaks, and runs onto Aldcliffe Hall Lane. About half way along the lane there are some bollards. The drive skirts around the side of a small hill

……

……..

……

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?

From ……2001…….. To ……2017……

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

……

No periods of more than a month

……

……..

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			x			
On horseback						
By pedal cycle			x			
By car						
Other [please specify] ……						

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

Pleasure

……

……

……

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

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

……

6. Were they using exactly the same route as you? [x] YES [ ] NO

If not please give provide details below: (please attach a separate sheet is necessary)

……

……

……

……

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

……

……

……

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']

2 metres

……

……

……

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]

Tarmac

……

……

……

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

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

……

……

……

How long were they in place?

……

……

……

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

……

……

……

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

Bollards

……

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……

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

☒ No

☐ Yes

If yes, please give details

……

……

……

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

☐ Yes

☐ Don’t know

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

……

……

……

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

Walkers and cyclists

……

……

……

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

……

……

……

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

☒ No

☐ 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

☐ Yes

If yes, by whom and when?

……

……

……

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

☒ No

☐ 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]

……

……

……

……

……

……

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

Lancashire County Council

Public Right of Way User Evidence Statement

Revised April 2016

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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.

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- 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 Act 1998

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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 ANDREW HOWORTH

Your: Home Telephone Number 01524 66565

Mobile Telephone Number .....

Email Address achoworth@gmail.com

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: Andrew Howorth

Date: 15 Sept 2017

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ANDREW HOWORTH

Address 16 COOLIDGE AVENUE

LANCASTER Postcode LA1 5EH

Year of Birth 1955

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]

NO

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".

MARIO

Maps & Related Information Online

TOOL HELP Draw Line - Move cursor on to map and click to start line, move cursor again and click, double click to finish.

Maps | Find | Tools | Draw | Results | Help

Zoom To Box | Zoom To Point | Zoom Out | Move Map | Previous | Next | Full Map | Street View | Clear

- Map Grid
- Grid References
- Collisions Report
- PROW Fault Reporting
- **Print/Save Map**

Enter Map Title: Route from Aldcliffe Rd to Ra

Print Map

1) Enter your map title in the box above.
Click 'Print' to open a new window with the map, legend and logo displayed.

2) Go the File menu in the new window and select Page Setup.
3) Make sure that the page is set to Landscape, remove the Header and Footer text and set all the margins to 5mm or less before printing.

4) Go to File menu and select Print.

Print

Save Map As An Image

Use this to save the map to your local computer as an image file, which can be opened in an internet browser, inserted in to a document or attached to an email.

1) Enter your map title in the box above.
Click 'Save Map As An Image' to open a new window with the map and legend displayed.

2) Go the File menu in the new window and select 'Save As...'.
3) Save the image to a folder on your computer by using the box provided.

Save Map As An Image



- 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.)

FROM THE LODGE ON ALDCLIFFE ROAD FOLLOWING THE METALLED ROAD UP OVER THE BROW OF THE HILL AND DESCENDING VIA ALDCLIFFE HALL DRIVE TO JOIN RAILWAY CROSSING LANE. FROM E 346938 to N ~~346609~~ 460400 to E 346609, N 460174

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 <u>precise</u> 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?

   From 1994 To 2017

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

   NO

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.

PLEASURE

.....

.....

.....

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)

.....

.....

.....

.....

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

☑ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

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']

3 metres

.....

.....

.....

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]

Tarmac

.....

.....

.....

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

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

No

How long were they in place?

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

No

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

Concrete bollards, always present

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

☑ No

☐ Yes

If yes, please give details

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

☐ Yes

☐ Don't know

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

.....

.....

.....

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

.....

.....

.....

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

.....

.....

.....

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

☑ No

☐ 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

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☑ No

☐ 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]

.....

.....

.....

.....

.....

.....

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

Gmail **Tim Dant <tim.dant@gmail.com>**

RE: Aldcliffe Hall Drive – Public Right of Way evidence

Patricia Clarke <patricia.clarke60@btinternet.com> 23 August 2017 at 19:55
To: Tim Dant <tim.dant@gmail.com>
Cc: Stephen Dickinson <s.dickinson@myphone.coop>, Mollie <Mollie.Foxall@gmail.com>, Colin Rogers <colingrogers@btinternet.com>

Dear Tim,

Please find attached my completed evidence form.

I noticed that there are two question 6. I don't know if that matters.

Regards,

Patricia

Lancashire County Council

Public Right of Way User Evidence Statement

Revised April 2016

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 Act 1998

Under the Data Protection Act 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 .....PATRICIA CLARKE.....

Your: Home Telephone Number ...01524 63641.....

Mobile Telephone Number .....

Email Address .....patricia.clarke60@btinternet.com.....

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: Patricia Clarke

Date: 22-8-2017

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Patricia Clarke…..…….……

Address 8 Haverbreaks Place, Lancaster
…….……..……..

……..……..

……..……..……

……..……Postcode …LA1 5BH……...

Year of Birth 1960…….…….……..……..

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]

Between 1996-2011 I lived at 60 Grasmere Road, Lancaster. Between 1995-1996 I lived at Lancaster University.
……...

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.)

The application route is a tarmacked road, 0.27 miles long (435 metres), runs between Aldcliffe Road and Aldcliffe Hall Lane and links the established footpaths FP41, FP49 and FP50

……

…..……...

……

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?

From …1996……..….. To …Present……..….

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

None……..…….

……..…

……..

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		X				
On horseback						
By pedal cycle				X		
By car						
Other [please specify] ……						

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

Between 1995 and 2011 I used the route every few months for leisure cycling, as it was a safer alternative to Aldcliffe Road when cycling to the Glasson Dock cycle path. Since 2011 I have additionally used the route weekly for walking and for jogging.

……

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

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

……

6. Were they using exactly the same route as you? YES

If not please give provide details below: (please attach a separate sheet is necessary)

……

……

……

……

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

☑ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

……

……

……

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']

It is wide enough for a large car……

……

……

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]

Tarmac……

……

……

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

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

No……

……

……

How long were they in place?

……

……

……

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

No……

……

……

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

There are bollards at the highest part of the route to prevent motor vehicles getting through

……

……

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

☑ No

☐ Yes

If yes, please give details

……

……

……

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

☐ Yes

☐ Don’t know

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

……

……

…….....

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

I regularly pass other walkers, joggers, cyclists and dog-walkers. ……

……

…….....

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

…….....

……

…….....

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

☑ No

☐ 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

☐ Yes

If yes, by whom and when?

……

……

……

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

☑ No

☐ 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]

For cyclists and walkers, the alternative way to reach the Lancaster-Glasson Dock shared-use path (a very popular path) would be up Aldcliffe Road, which at this point

has no footway and has a bend which reduces visibility considerably. The route is a safe alternative; the road is unpleasant and potentially dangerous.

……..……

……..……

……..……

……..……

……..……

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

Gmail

Tim Dant <tim.dant@gmail.com>

RE: Aldcliffe Hall Lane public right of way

David Evans <davidhevans@btconnect.com> 31 August 2017 at 13:52
To: Tim Dant <tim.dant@gmail.com>

Hi Tim

Here is my completed version

Regards

David



Public Right of Way User Evidence Statement

Revised April 2016

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.

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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

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- 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 Act 1998

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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 …DAVID EVANS…….

Your: Home Telephone Number 01524 382976……..

Mobile Telephone Number 07961 027269……

Email Address davidhevans@btconnect.com…..

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:

Date: 23 Aug. 17

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ……DAVID EVANS……

Address ……3 MARLTON WAY, LANCASTER……..……..……..

postcode ……LA1 5BW……...

Year of Birth ……1958……..……..……..

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]

…NO

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)

1. 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.)

……

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?

From …2005…….. To …Date…….

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

NO

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.

pleasure, walking, running or cycling

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)

…….

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

☐ Yes √

☐ Don't know

☐ No

If no – how and when was the route altered?

……

……

……

6. 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']

At least 12 feet at all points

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

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

Metalled road - tarmac

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

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

Not as far as I know

How long were they in place?

……

……

……

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

Not as far as I know

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

Bollards at crest of hill

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

☐ No √

☐ Yes

If yes, please give details

……

……

……

6. 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 √

☐ Yes

☐ Don’t know

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

……

……

……

6. 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

Many times. Many people use this route daily. walking, running, cycling, riding a horse, scootering, rollerblading.....

Land Ownership

6. 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

……

……

……

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

☐ No √

☐ Yes

If yes,

a. From whom?
……

b. When?
……

8. 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 √

☐ Yes

If yes, by whom and when?

……

……

……

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

☐ No √

☐ Yes

If yes, please give details including when this happened

……

……

……

10. 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

……

……

……

11. 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

12. 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

……

……

……

13. 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]

This is an important right of way. There is no footpath on Aldcliffe Road which runs parallel to this path, rendering it dangerous to walk or run along, and many people use it to get to Aldcliffe without having to walk along the strentch of Aldcliffe Road from the canal. It is an essential part of the Lancaster rights of way.

14. 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

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

☐ Yes √

☐ No

Lancashire County Council

Public Right of Way User Evidence Statement

Revised April 2016

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.

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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.

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- 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

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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 .....Robin Gilmour.....

Your: Home Telephone Number ...01524 35491.....

Mobile Telephone Number .....

Email Address .....gilmourrobin@netscape.net.....

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: R Gilmour

Date: 10/09/17

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name .....Robin Gilmour.....

Address .....5 Queen Square.....

.....Lancaster.....

.....

.....Postcode ...LA1 1RN.....

Year of Birth
.....1944.....

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]

.....No.....

.....

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.)

.....As clearly indicated in the attached 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?

   From .....1980..... To .....2017.....

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

   .....1999 – 2003 while living in USA.....

   .....

   .....

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			X			
On horseback						
By pedal cycle						occasionally
By car						
Other [please specify]						

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

.....For pleasure as part of a country walk avoiding traffic.....

.....

.....

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

(a) on foot [X]
(b) on horseback [ ]
(c) on bicycle/horse-drawn vehicle [X]
(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)

.....

.....

.....

.....

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

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']

.....Don't know.....

.....

.....

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]

.....tarmac sealed.....

.....

.....

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

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

.....No.....

.....

.....

How long were they in place?

.....

.....

.....

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

.....No.....

.....

.....

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

.....No.....

.....

.....

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

☒ No

☐ Yes

If yes, please give details

.....

.....

.....

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

☐ Yes

☐ Don't know

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

.....

.....

.....

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

.....At various times I have seen other people walking or cycling along the route.....

.....

.....

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

.....

.....

.....

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

☒ No

☐ 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

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☒ No

☐ 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]

.....

.....

.....

.....

.....

.....

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

Gmail **Tim Dant <tim.dant@gmail.com>**

PRW

Sarah Hymas <sehymas@gmail.com> 1 September 2017 at 17:51
To: Tim.Dant@gmail.com

Hello Tim
Here is my user evidence statement - in a doc and pdf
Hope it's useful

Sarah

--
on *in praise of plankton*
http://sarahhymas.blogspot.co.uk/

http://sarahhymas.net/

2 attachments

uder-evidence-statement april 2016.pdf
66K

user-evidence-statement-april-2016.doc
114K

Public Right of Way User Evidence Statement

Revised April 2016

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.

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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 Act 1998

Under the Data Protection Act 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 ……Sarah Hymas
…….

Your: Home Telephone Number …01524 752053
……..

Mobile Telephone Number ……n/a ……

Email Address ……sehymas@gmail.com

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: Sarah Hymas

Date: 1 September 2017

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name
……Sarah Hymas
……..…….……

Address
…….……Lighthouse Cottage, Slack Lane, Thurnham LA2 0AY
…….……..……..

……..……..

……..……..……

……..……Postcode ……...

Year of Birth
……1967…….…….……..……
…..

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]

…….mill stree lancaster la1 3pl
……..……..

……...

ABOUT THE APPLICATION ROUTE

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

☐ As a footpath (public rights on foot only)

xxx 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.)

…..…….

……

…….……...

……

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 <u>precise</u> 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?

From ……..….. To ……..….

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

…….…….

…….….

……..

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					x	
On horseback						
By pedal cycle		x				
By car						
Other [please specify] ……						

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

cycling to work in town

……

……....

……

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 ☐

……

6. Were they using exactly the same route as you? YES ☐

If not please give provide details below: (please attach a separate sheet is necessary)

……

……

……

……

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

☐ Yes

☐ x Don't know

☐ No

If no – how and when was the route altered?

……

……

……

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']

……

……

……

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]

sealed road

……

……

……

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

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

……not that I know of
……

……

……

How long were they in place?

……

……

……

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

……

……

……

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

…….bollards
……

……

……

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

x No

☐ Yes

If yes, please give details

……

……

……

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”)

x No

☐ Yes

☐ Don’t know

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

……

……

…….....

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

☐ No

x Yes

If yes, please provide any additional information about this

……lots of other cyclists, walkers and horse riders
……

……

…….....

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?

xNo

☐ Yes

If yes, provide details and dates

…….....

……

…….....

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

☐ No

☐ 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)?

☒■

■☐

☐

If yes, by whom and when?

……

……

……

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

☒ No

☐ 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)

x 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)

x 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]

……

……

……

……

……

……

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?

x Yes

☐ No

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

x Yes

☐ No

Public Right of Way User Evidence Statement

Revised April 2016

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.

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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.

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- 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 Act 1998

Under the Data Protection Act 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 ……Jane Sellars……

Your: Home Telephone Number ……01524 66521……..

Mobile Telephone Number ……07773334265……

Email Address ……janemsesellars@gmail.com……..

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: Jane Sellars
Jane Sellars

Date: 15th August 2017

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name
Jane Sellars

Address
14, Anthony Road

Lancaster

Postcode LA1 5DR

Year of Birth
1956

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]

Yes, Portland Street From 1994 until 2008

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.)

…..…….

……

…..……...

……

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?

From ……1994…….. To ……present day…….

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

No

……

……

……..

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				Yes		
On horseback						
By pedal cycle				Yes		
By car						
Other [please specify] ……						

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

For pleasure

……

……

……

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

(a) on foot	X
(b) on horseback	
(c) on bicycle/horse-drawn vehicle	X
(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)

……

……

……

……

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

☐ Yes

x
☐ Don't know

☐ No

If no – how and when was the route altered?

……

……

……

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']

……

……

……

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]

Tarmac
……

……

……

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

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

……No……

……

……

How long were they in place?

……

……

……

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

……No……

……

……

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

……

……

……

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

☐ No

☐ Yes

If yes, please give details

……

……

……

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

☐ Yes

☐ Don’t know

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

……

……

……

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

……

……

……

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

……

……

……

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

☐ No

☐ 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

N

☐ Yes

If yes, by whom and when?

……

……

……

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

☐NNo

☐ 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?

☐N 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)

☒N 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)

☒N 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]

……

……

……

……

……

……

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

☐N No

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

☐ Yes

☐N No

Lancashire County Council

Public Right of Way User Evidence Statement

Revised April 2016

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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

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- 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.

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DECLARATION

Data Protection Act 1998

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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 ..... HELEN HITCHINGS .....

Your: Home Telephone Number ..... 01524 64903 .....

Mobile Telephone Number .....

Email Address ..... helenhitchings@btinternet.com .....

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: Helen Hitchings

Date: 21-9-2014

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ..... HELEN HITCHINGS .....

Address ..... 102 ATHERTON ROAD .....

..... LANCASTER .....

.....

.....

..... Postcode LA1 5BZ .....

Year of Birth ..... 18.2.1952 .....

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]

..... Yes: (9 THORNFIELD, ASHTON RD) 1988-1999 .....

.....

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.)

Aldcliffe Hall Drive is 0.27 Miles long. Runs Between Aldcliffe Road and Aldcliffe Hall Lane and Links Tite ESTABLISHED FOOTPATHS FP41, FP49 and FP50

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?

   From 1988 To 21.9.2014 & CONTINUING

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

   No

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.

PLEASURE, RECREATION AND EXERCISE

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 ✓ — ON EITHER SIDE OF THE BOLLARDS
   (e) other, please specify — MOBILITY VEHICLES

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)

.....

.....

.....

.....

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

☑ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

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']

DON'T KNOW

.....

.....

.....

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]

TARMAC

.....

.....

.....

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

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

No

How long were they in place?

N/A

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

No

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

BOLLARDS NEAR ASHLAR LODGE

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

☑ No

☐ Yes

If yes, please give details

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

☐ Yes

☐ Don't know

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

.....

.....

.....

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

MANY OTHER PEDESTRIANS AND ALSO CYCLISTS, SOME HORSE RIDERS AND A FEW MOBILITY VEHICLES

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

.....

.....

.....

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

☑ No

☐ 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

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☑ No

☐ 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]

Midcliffe Hall Drive is AN IMPORTANT ROUTE FOR PEDESTRIANS AS THE ROAD THAT MIGHT OTHERWISE BE USED IS VERY DANGEROUS FOR PEDESTRIANS: NARROW AND WITH NO PAVEMENT.

ALDCLIFFE HALL DRIVE PROVIDES WONDERFUL ~~VIEWS~~ AND UNIQUE VIEWS OF LANCASTER CASTLE WHICH SHOULD BE AVAILABLE FOR PUBLIC ENJOYMENT, AND FOR SOME ~~ANY~~ UNDERSTANDING OF THE TOWNS HISTORIC LANDSCAPE. THIS IS THE ONLY PLACE FROM WHICH TO SEE AN UNDEVELOPED VIEW OF THE CASTLE.

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

Lancashire County Council

Public Right of Way User Evidence Statement

Revised April 2016

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.

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- 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 Act 1998

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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 ....CHRISTINA McGUIRE.....

Your: Home Telephone Number ....01524 383684.....

Mobile Telephone Number ....07855922729.....

Email Address ....Christina.Mcguire49@gmail.com.....

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: C-M McGuire

Date: 16/9/17

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name CHRISTINA McGUIRE

Address 6 HOLKER CLOSE

LANCASTER

Postcode LA1 5UW

Year of Birth 1962

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]

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.)

.....

.....

.....

.....

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?

   From ....2001..... To ....CONTINUOUS.....

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

   .....NONE.....

   .....

   .....

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] RUNNING		✓				

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

PLEASURE - WALKING, RUNNING, CYCLING

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)

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

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

NONE

How long were they in place?

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

NONE

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

NONE

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

☑ No

☐ Yes

If yes, please give details

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

☐ Yes

☐ Don't know

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

.....

.....

.....

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

PEOPLE RUNNING, WALKING AND WALKING WITH THEIR DOGS.

PEOPLE CYCLING

.....

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

.....

.....

.....

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

☑ No

☐ 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

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☑ No

☐ 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

.....

.....

.....

.....

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

Gmail

Tim Dant <tim.dant@gmail.com>

aldcliffe hall drive

Gillian Davies <diabolista@aol.com> 14 August 2017 at 14:46
To: Tim.Dant@gmail.com

Hello Tim,
Here's my evidence statement. I hope it helps.
Gill

LCC User Evidence Statement.doc
427K

Lancashire County Council

Public Right of Way User Evidence Statement

Revised April 2016

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.

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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.

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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 Gillian Davies

Your: Home Telephone Number 01524 383668

Mobile Telephone Number ……

Email Address diabolista@aol.com

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: Gillian M Davies

Date: 14 August 2017

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 Dr Gillian Davies

Address 9 Belle Vue Terrace Lancaster

Postcode LA1 4TY

Year of Birth 4 February 1948

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]

…no

ABOUT THE APPLICATION ROUTE

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

☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)

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.)

Aldcliffe Hall Drive is 0.27 miles long (435 metres), runs between Aldcliffe Road and Aldcliffe Hall Lane and links the established footpaths FP41, FP49 and FP50

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?

   From 1992 To 2017

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

   no

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			X			
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.

   This is a regular local walk for me; from home to the canal, up Aldcliffe Hall Drive, down to the estuary foorpath

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

(a) & (c)

6. Were they using exactly the same route as you? YES

   If not please give provide details below: (please attach a separate sheet is necessary)

   ……

   ……

   ……

   ……

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

   ☐ Yes

   If no – how and when was the route altered?

   ……

   ……

   ……

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']

don't know

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]

tarmac

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

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

      no

      How long were they in place?

      ……

      ……

      ……

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

      no

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

      bollards at the top of the lane to prevent vehicle access

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

   ☐ No

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

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

☐

☐ Yes

If yes, please provide any additional information about this

It is a very well used route for walkers & cyclists.

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

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

☐ No

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

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

☐ No

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

☐ No

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

☐ No

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

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?

It is a very important safe route for pedestrians & cyclists. It avoids (& runs parallel to) a narrow & winding country lane with blind corners that arrives at the same point in Aldcliffe as the proposed by-way. In my experience, there has been a large increase in cars and other vehicles using the minor road, often rather recklessly, & driving too fast. It is simply not suitable or safe for non-vehicle users.

……..……

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

☐

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

☐ Yes

☐

Gmail **Tim Dant <tim.dant@gmail.com>**

Re: Aldcliffe Hall Drive – Public Right of Way evidence

John R <aldcliffe@gmail.com> 3 September 2017 at 17:38
To: Tim Dant <tim.dant@gmail.com>

Hi Tim,
As discussed on Saturday please find attached our two PROW forms. We assume that in due course these will be submitted to the LCC.
Good luck with the Parish Council on Tuesday.

Cheers
John & Jacqui

2 attachments

John Rollins LCC User Evidence Statement.docx
410K

Jacqui Rollins LCC User Evidence Statement.docx
410K

Public Right of Way User Evidence Statement

Revised April 2016

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

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- 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 Act 1998

Under the Data Protection Act 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 **John Rollins.**

Your: Home Telephone Number **01524 60065……..**

Mobile Telephone Number ……

Email Address **Aldcliffe@gmail.com..**

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: J Rollins

Date: **03/09/17**

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name **John Rollins**

Address **3 Craiglands Court**
Aldcliffe
Lancaster
LA1 5AU

Year of Birth 1941

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]

No resident at address above for 39 years.

ABOUT THE APPLICATION ROUTE

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

Yes As a footpath (public rights on foot only)
With rights for bicycles but not horses.
☐ As a bridleway (public rights on foot and on horseback or bicycle)

No As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
No 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.)

From Aldcliffe road to Aldcliffe Hall Lane along Aldcliffe Hall Drive.

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?

From …1978. To present day – continuous use.

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

……**No.**

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	**Yes**					
On horseback	No					
By pedal cycle	No					
By car	No					
Other [please specify] ……						

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

This is the only route on foot to get directly into Lancaster from Aldcliffe and to get to Aldcliffe Road, Haverbreaks and the canal. Therefore for all purposes, work, shopping, social, to railway station visit friends and to the canal tow path and local footpaths, each journey would use the path in both directions.

……

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

(a) on foot ☐ **Yes**
(b) on horseback ☐
(c) on bicycle/horse-drawn vehicle ☐ **Bicycle not horses**
(d) with motorised vehicle ☐
(e) other, please specify

……

6. Were they using exactly the same route as you? YES ☐
If not please give provide details below: (please attach a separate sheet is necessary)

…….....

…….

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

☐ **Yes**

If no – how and when was the route altered?

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']

Don't know.
……

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]

Mostly surfaced.

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

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

…**No.**
……
……

How long were they in place?

……

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

…**No.**
……

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

…**No barriers to pedestrians**.
……

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

☐ **No**

If yes, please give details

……

……

……

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**

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

……

……

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

☐ **Yes**

If yes, please provide any additional information about this

This is a frequently used route almost always see other pedestrians.

……

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**

If yes, provide details and dates

……

……

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

☐ **No**

a. ……

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**

……

……
……

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

☐ **No**

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**

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**

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**

……

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]

…**Aldcliffe Road, which by passes the estate, is narrow with blind corners on a hill with no room for pedestrians and is therefore dangerous to walk on particularly as it is a well-used commuter route.**

……

……

……

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**

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

☐ **Yes**

☐

Gmail **Tim Dant <tim.dant@gmail.com>**

Re: Aldcliffe Hall Drive – Public Right of Way evidence

Fulton, Oliver <o.fulton@lancaster.ac.uk> 11 September 2017 at 18:10
To: Tim Dant <tim.dant@gmail.com>
Cc: Stephen Dickinson <s.dickinson@myphone.coop>, Mollie <Mollie.Foxall@gmail.com>, Colin Rogers <colingrogers@btinternet.com>

Dear all

I've done my best with this rather Word-unfriendly form. I hope it is acceptable, but feel free to tidy it up if you can, and have the inclination. I've not signed it, as your message implies that's not necessary, but would be happy to do so, though I'm about to leave on holiday abroad - back 26 September - so that might not be quick.

Best wishes

Oliver

Oliver Fulton
Thorneycroft, Fairfield Road
Lancaster LA1 5NS

01524 381 880
07960 839 940

Lancashire County Council

Public Right of Way User Evidence Statement

Revised April 2016

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.

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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

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- 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 Act 1998

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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

……Prof Oliver Fulton……

Your: Home Telephone Number 01524 381880……..

Mobile Telephone Number 07960 839940……

Email Address o.fulton@lancaster.ac.uk……..

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: Oliver Fulton

Date: 11 September 2017

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Prof. Oliver Fulton ..……

Address Thorneycroft, Fairfield Road, Lancaster
……..……..

……..……..

……..……..……

……..……Postcode LA1 5NS ……...

Year of Birth 1941….……..……..……..

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]

Rydal Road, Lancaster 1988-1990……..

……...

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)

☐ X 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.)

Aldcliffe Hall Drive: 0.27 miles long (435 metres), runs between Aldcliffe Road and Aldcliffe Hall Lane and links the established footpaths FP41, FP49 and FP50 (see map below).

…..…….

……

…..……...

……

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 <u>precise</u> 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?

From 1988…….. To present date……..….

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

Only when occasionally out of the country for a substantial period
…….……

……..…

……..

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		X (depending on season/ weather)	X			
On horseback						
By pedal cycle		X (ditto)	X			
By car						
Other [please specify] ……						

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

Pleasure……

……....

……

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

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

……

6. Were they using exactly the same route as you? YESX
If not please give provide details below: (please attach a separate sheet is necessary)

……

……

……

……

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

☐ XYes

☐ Don't know

☐ No

If no – how and when was the route altered?

……

……

……

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']

Don't know exactly – single-track carriageway plus…
……

……

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]

Tarmac……

……

……

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

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

no……

……

……

How long were they in place?

……

……

……

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

No locked gates – was there an open one at one stage?
……

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

Concrete bollards.
……

……

……

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

☐ X No

☐ Yes

If yes, please give details

……

……

……

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”)

☐ X No

☐ Yes

☐ Don’t know

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

……

……

…….....

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

☐ No

☐ X Yes

If yes, please provide any additional information about this

Everyone I know assumes it is already a public right of way……

……

…….....

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?

☐ X No

☐ Yes

If yes, provide details and dates

…….....

……

…….....

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

☐ X No

☐ 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)?

☐ X No

☐ Yes

If yes, by whom and when?

……

……

……

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

☐ X No

☐ 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?

☐ X 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)

☐ X 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)

☐ X 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]

……

……

……

……

……

……

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?

☐ X Yes

☐ No

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

☐ X Yes

☐ No

Lancashire County Council

Public Right of Way User Evidence Statement

Revised April 2016

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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.

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- 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 Act 1998

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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 ..... Ian Porter .....

Your: Home Telephone Number ..... 01524 35613 .....

Mobile Telephone Number ..... 07733261074 .....

Email Address ..... ianporteruk@gmail.com .....

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: Ian Porter

Date: 18/9/17

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Ian Porter

Address 43 St Oswald St
Lancaster

Postcode LA1 3AS

Year of Birth 1969

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]

NO

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.)

.....

Tarmacced road as per map attached

.....

.....

.....

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?

   From 2001 ..... To Present .....

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

   No

   .....

   .....

   .....

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.

Running, Dog walking, Cycling to the pub.

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)

.....

.....

.....

.....

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

☑ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

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']

Width of tarmaced road.
Maybe 4 or 5 meters

.....

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]

Tarmac

.....

.....

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

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

No

How long were they in place?

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

No

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

Bollards at top of hill

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

☑ No

☐ Yes

If yes, please give details

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

☐ Yes

☐ Don't know

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

.....

.....

.....

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

.....

.....

.....

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

.....

.....

.....

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

☑ No

☐ 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

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☑ No

☐ 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]

This route allows access to the .....

river for Lancaster residents. The alternative road is definitely high risk on foot or cycle because of: high hedges, no verge, blind corners and generally fast traffic - very dangerous!

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


bollards
Coach
House
Oaklands Court
Oaklands Court
Railway Crossing Lane
Railway Crossing Lane
Aldcliffe Road
Aldcliffe Road
Aldcliffe Road
Aldcliffe
Inverlune
alternative route is unsafe for pedestrians, cyclists, dog walkers

Lancashire County Council

Public Right of Way User Evidence Statement

Revised April 2016

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 Act 1998

Under the Data Protection Act 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 ..... Dr Jeffrey Bartley .....

Your: Home Telephone Number ..... — .....

Mobile Telephone Number ..... 07498566420 .....

Email Address ..... j.bartley@hotmail.co.uk .....

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:

Date: 6.9.17

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Dr JEFFREY BAMLEY

Address 18 BOLE HUE DRIVE

LANCASTER

Postcode LA1 4DE

Year of Birth 20.5.46

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]

VICTORIA AVENUE SCOTFORTH. 1982 - 1986

FERN BANK SCOTFORTH 1986 - 1992

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.)

ALDCLIFFE HALL DRIVE IS 0.27miles long [435m] AND IT RUNS BETWEEN ALDCLIFFE ROAD & ALDCLIFFE HALL LANE AND LINKS THE ESTABLISHED footpaths FP41, FP49 + FP50 [Refer to map below] A SET OF CONCRETE BARRIERS IN FORM OF BOLLARDS WITH ASYLUM LODGE PREVENT IT BEING A THROUGH ROUTE FOR VEHICLES

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?

   From 1983 To PRESENT 2017

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

   NONE.

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.

FOR LEISURE - MAINLY WALKING OCCASIONALLY CYCLING.

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)

.....

.....

.....

.....

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

☑ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

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']

THE DRIVE IS APPROX. 3METRES WIDE

THROUGHOUT ITS LENGTH.

.....

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]

SOLID CONCRETE BASE SURFACE WITH LITTLE

SIGNS OF WEAR + TEAR TO SURFACE.

VERGES EACH SIDE AND 6METRES WIDE WITH MATURE

TREES AND GRASSLAND.

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

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

ALONG ARE NO STILES

How long were they in place?

—

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

ALONG ARE NO GATES IMPEDING/OBSTRUCTING THIS DRIVE.

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

LINE OF CONCRETE BARRIERS NEAR A SLEEM LODGE PREVENT IT BEING A THROUGHROAD FOR VEHICLES

IT DOES HOWEVER PROVIDE A THROUGH ROUTE FOR PEDESTRIANS CYCLISTS, HORSES, WHEELCHAIRS & PUSHCHAIRS. - [SEE MAP].

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

☑ No

☐ Yes

If yes, please give details

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

☐ Yes

☐ Don't know

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

.....

.....

.....

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

OTTER WATCHERS - WITH + WITHOUT DOGS

CYCLISTS

HORSE RIDERS

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

.....

.....

.....

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

☑ No

☐ 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

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☑ No

☐ 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]

THE APPLICATION ROUTE GIVES DIRECT + SAFE

ACCESS TO THE LONG FOOTPATH. THE ALTERNATIVE

IS THE BUSY NARROW ROAD (ADCLIFFE) WITH NO FOOTPATHS OR CYCLEWAYS.

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

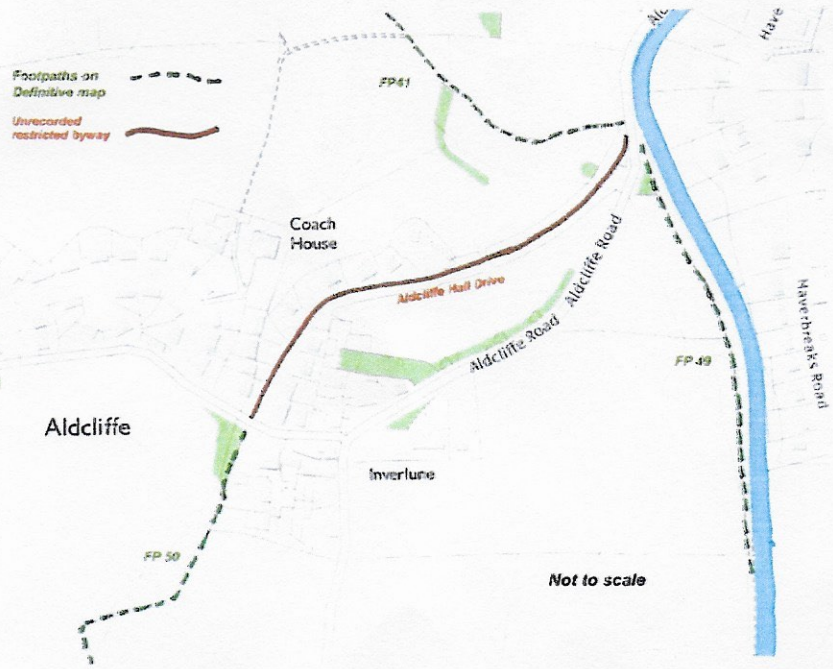


Key.
A = GATE HOUSE
B = BOLLARDS

Aldcliffe Hall Drive – Public Right of Way evidence

Thank you for responding to our request for people who have been using Aldcliffe Hall Drive in the Parish of Aldcliffe-with-Stodday, Lancaster over the last 20 years or more. We are hoping to add the Drive to Lancashire County Council's definitive map of Public Rights of Way (PROW) as a 'restricted byway'. Aldcliffe Hall Drive is 0.27 miles long (435 metres), runs between Aldcliffe Road and Aldcliffe Hall Lane and links the established footpaths FP41, FP49 and FP50 (see map below). The Drive is currently a private road providing access to houses although the concrete bollards near Ashlar Lodge prevent it being a through route for vehicles. It does however provide a through route for pedestrians, cyclists, wheelchairs and pushchairs and if it is not added to the official 'definitive map' of PROWs before it is closed in 2026 its status could be lost. Establishing it now as 'restricted byway' on the definitive map would also protect it from changes of status before then.

Attached is the standard form used by LCC for gathering evidence relating to applications for a PROW. The form is rather daunting! You only need to respond to questions that are relevant but please give as much detail as you feel able to. Please return the form by email to Tim.Dant@gmail.com or by post to Tim Dant, Shorefield, Aldcliffe Hall Drive, Aldcliffe LA1 5BG. The forms will initially be presented to the Parish Council and if they feel there is sufficient evidence, they will be submitted together with an application for the PROW to Lancashire County Council. The members of the group gathering evidence for Aldcliffe-with-Stodday Parish Council are Tim Dant, Mollie Foxall, Stephen Dickinson and Colin Rogers. (tim.dant@gmail.com; mollie.foxall@gmail.com; s.dickinson@myphone.coop; colingrogers@btinternet.com).



Lancashire County Council

Public Right of Way User Evidence Statement

Revised April 2016

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 Act 1998

Under the Data Protection Act 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 ..... DOMINIC HARRISON .....

Your: Home Telephone Number ..... 01524 841 645 .....

Mobile Telephone Number ..... — .....

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: Dominic P Harrison

Date: 28/9/17

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ..... DOMINIC PETER HARRISON .....

Address ..... 98 Aldcliffe Road .....

..... LANCASTER .....

.....

..... Postcode ..... LA1 5BE .....

Year of Birth ..... 1959 .....

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]

..... YES HIGH ROAD HALTON 1998 - 2006 .....

.....

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.)

ALDCLIFFE HALL ~~LANE~~ DRIVE

starts at the Gate lodge up to Aldcliffe Hall Lane

See attached 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 <u>precise</u> 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?

   From 1988 To ~~1998~~ 2017

   but not 1998-2006

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

   1998 - 2006 I was living in Heston-on-Lune and so only occasionally came back to the area

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.

Leisure + exercise

.....

.....

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)

.....

.....

.....

.....

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

☑ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

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']

3½ metres

.....

.....

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]

tarmac

.....

.....

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

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

None

How long were they in place?

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

None

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

Bollards

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

☑ No

☐ Yes

If yes, please give details

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

☐ Yes

☐ Don't know

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

.....

.....

.....

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

.....foot.....

.....cycle.....

.....

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

.....

.....

.....

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

☑ No

☐ 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

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☑ No

☐ 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]

.....

.....

.....

.....

.....

.....

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

for the route referred to.

DECLARATION

Data Protection Act 1998

Under the Data Protection Act 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 ..... SHEILA (& ALAN WOODCOCK) .....

Your: **Home Telephone Number** ..... 01524 389019 .....

Mobile Telephone Number ..... 07711 426202 .....

Email Address ..... skwoodcock52@gmail.com .....

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: S. Woodcock

Date: 7. 9. 2017

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ..... SHEILA WOODCOCK .....

Address ..... 10 OAKLANDS COURT .....

ALDCLIFFE .....

LANCASTER .....

Postcode ..... LA1 5AT .....

Year of Birth ..... 1952 .....

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]

No .....

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)
- [x] 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.)

This route runs between Aldcliffe Rd. and Aldcliffe Hall Lane and links established footpaths FP41, FP49 & FP 50

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?

From ...SEPTEMBER 1980..... To .....PRESENT DAY.....

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

.....NONE WHATSOEVER.....

.....

.....

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]

Pushing Prams & wheelchair

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

leisure, School

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)

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

(Yes)

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

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']

3 metres

.....

.....

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]

tarmac

.....

.....

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

a. Stiles [state locations and show on your map] NO

How long were they in place?

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

NO

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

NO (only concrete bollards preventing cars + vans)

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

☐ No

☐ Yes

If yes, please give details

.....

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

☐ Yes

☐ Don't know

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

.....

.....

.....

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

Many people regularly use this route because the alternative is a very busy & dangerous road with no foot path.

Users are dog walkers; cyclists; parents with children; disabled people & walkers.

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

.....

.....

.....

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

No

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

Yes

If yes, by whom and when?

.....

.....

.....

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

☐ No

☐ 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]

I would like to emphasise that this route is a necessary route to access Aldcliffe Road – the canal & town. To close it off would endanger lives. The alternative route is an increasingly busy stretch of road as the council see fit to permit more and more houses to be erected and there are NO pavements.

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

DECLARATION

Data Protection Act 1998

Under the Data Protection Act 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 VERA TEASDALE

Your: Home Telephone Number 01524 61981

Mobile Telephone Number 07981 266974

Email Address teasdalevee@hotmail.com

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: V.E. Teasdale

Date: 22.9.2017

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name VERA TEASDALE

Address 1 CROMWELL ROAD

LANCASTER

Postcode LA1 5BD

Year of Birth 1944

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]

YES: 96 ALDCLIFFE ROAD

LANCASTER LA1 5BE

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.)

The route starts off Aldcliffe Road at a point where the road leaves the canal. The route goes from beside the [illegible] lodge and joins the footpath through the bollards at Aldcliffe Hall Lane.

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 <u>precise</u> 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?

   From 1971 To 2017

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

   No

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						2-3 times per week
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.

Pleasure, Exercise
Taking children and grandchildren
on bicycles on safe route to estuary

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)

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

☑ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

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']

2½ - 3 metres north section
3½ - 4 metres southern section

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]

~~Earth~~ Tarmac with grass borders

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

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

No

How long were they in place?

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

No

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

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

☐ No

☐ Yes

If yes, please give details

N/A

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

☐ Yes

☐ Don't know

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

.....

.....

.....

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

Walkers

Cyclists

Adults with prams / pushchairs

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

.....

.....

.....

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

☑ No

☐ 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

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☑ No

☐ 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]

It is absolutely vital that this route is kept as a public right of way. Without

it access to the estuary would be denied to walkers + cyclists. There is no footpath on Aldcliffe Road (where it leaves the canal) and the road has limited vision and ~~the~~ fast traffic as it is used as a "rat run" by drivers avoiding city centre traffic.

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?

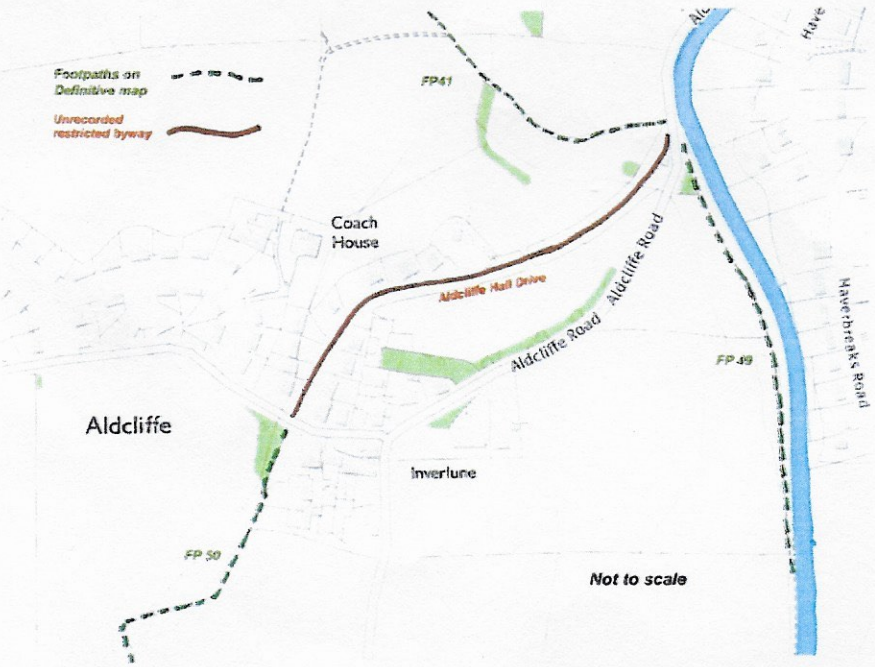
☑ Yes

☐ No

Aldcliffe Hall Drive – Public Right of Way evidence

Thank you for responding to our request for people who have been using Aldcliffe Hall Drive in the Parish of Aldcliffe-with-Stodday, Lancaster over the last 20 years or more. We are hoping to add the Drive to Lancashire County Council's definitive map of Public Rights of Way (PROW) as a 'restricted byway'. Aldcliffe Hall Drive is 0.27 miles long (435 metres), runs between Aldcliffe Road and Aldcliffe Hall Lane and links the established footpaths FP41, FP49 and FP50 (see map below). The Drive is currently a private road providing access to houses although the concrete bollards near Ashlar Lodge prevent it being a through route for vehicles. It does however provide a through route for pedestrians, cyclists, wheelchairs and pushchairs and if it is not added to the official 'definitive map' of PROWs before it is closed in 2026 its status could be lost. Establishing it now as 'restricted byway' on the definitive map would also protect it from changes of status before then.

Attached is the standard form used by LCC for gathering evidence relating to applications for a PROW. The form is rather daunting! You only need to respond to questions that are relevant but please give as much detail as you feel able to. Please return the form by email to Tim.Dant@gmail.com or by post to Tim Dant, Shorefield, Aldcliffe Hall Drive, Aldcliffe LA1 5BG. The forms will initially be presented to the Parish Council and if they feel there is sufficient evidence, they will be submitted together with an application for the PROW to Lancashire County Council. The members of the group gathering evidence for Aldcliffe-with-Stodday Parish Council are Tim Dant, Mollie Foxall, Stephen Dickinson and Colin Rogers. (tim.dant@gmail.com; mollie.foxall@gmail.com; s.dickinson@myphone.coop; colingrogers@btinternet.com).



Lancashire County Council

Public Right of Way User Evidence Statement

Revised April 2016

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 Act 1998

Under the Data Protection Act 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 ....GINA DOWDING.....

Your: Home Telephone Number ....01524 841645.....

Mobile Telephone Number ....07838 793674.....

Email Address ....ginadowding@btinternet.com

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: G Dowding

Date: 25.9.2017

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name GINA DOWDING

Address 98 ALDCLIFFE ROAD

Postcode LA1 5BE

Year of Birth 1962

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]

YES BUT IN THE LA1 Postcode SINCE 1986, LA1 1SY + LA1 1SZ

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.)

Known as Aldcliffe Hall Drive from Aldcliffe Road (at the gate house) to Aldcliffe Hall Lane

See attached 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 <u>precise</u> 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?

   From 1986 To date 2017

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

   No

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.

Pleasure

Exercise

.....

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)

.....

.....

.....

.....

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

☑ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

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']

3-4 metres

.....

.....

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]

tarmac

.....

.....

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

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

No

How long were they in place?

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

No

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

No

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

☒ No

☐ Yes

If yes, please give details

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

☐ Yes

☐ Don't know

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

.....

.....

.....

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

Almost everytime we have used it there have been other walkers and/or cyclists on the route

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

.....

.....

.....

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

☒ No

☐ 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

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☒ No

☐ 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

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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]

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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

DECLARATION

Data Protection Act 1998

Under the Data Protection Act 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 ..... JOY GREENWOOD .....

Your: Home Telephone Number ..... 01524 32816 .....

Mobile Telephone Number .....

Email Address ..... joygreenwood25@yahoo.co.uk .....

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: Joy Greenwood.

Date: 4 September 2017

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ..... JOY GREENWOOD .....

Address ..... 25 CONNAUGHT ROAD .....

..... LANCASTER .....

..... Postcode ... LA1 4BQ ....

Year of Birth ..... 1945 .....

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]

1 PICKARD STREET, LANCASTER (1969 ~ 1989)

59 AVONDALE ROAD, STOCKPORT (1989 ~ 2002)

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)

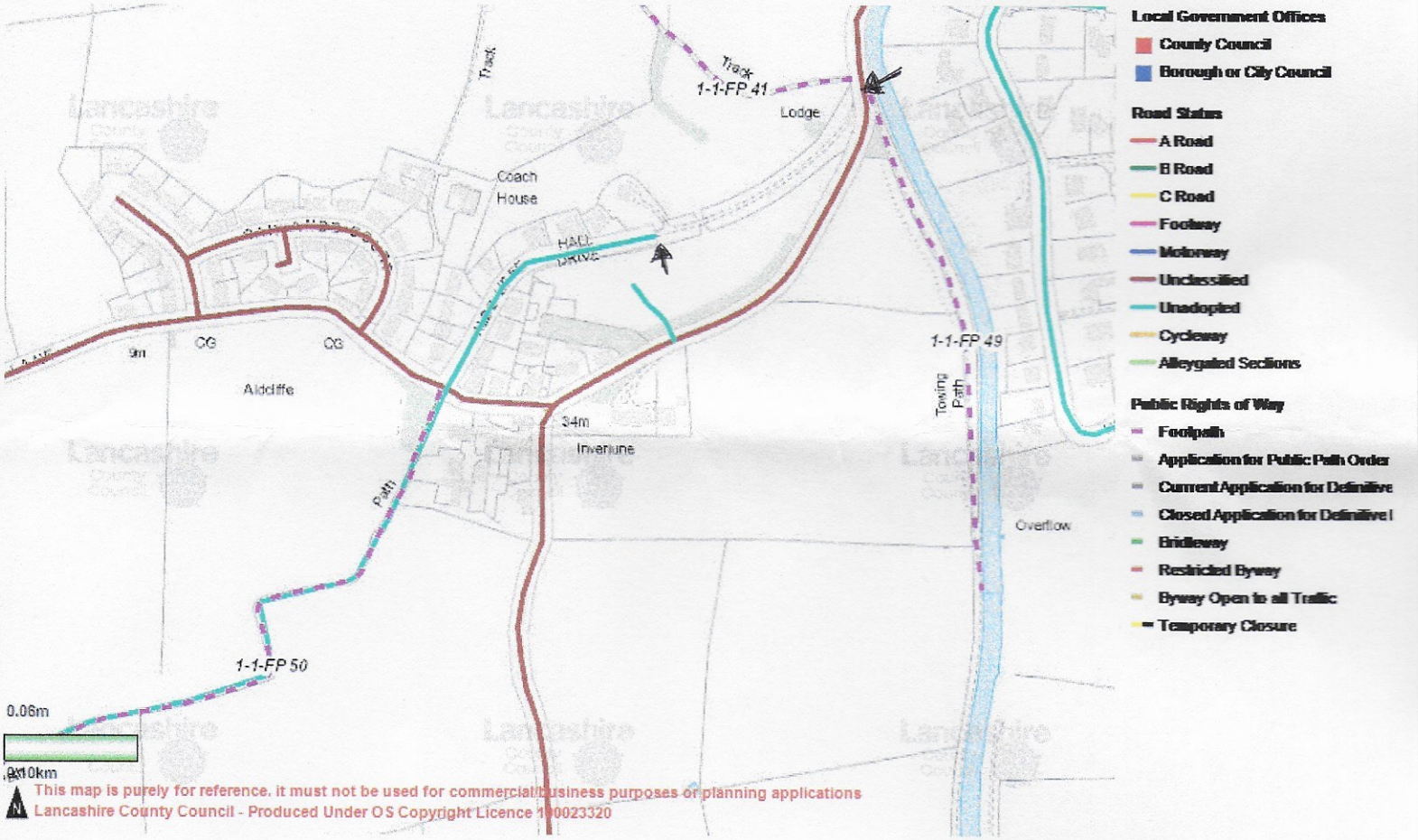
2. Describe the application route.

(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".

Lancashire County Council

MARIO MAP.



route is indicated by arrows at each end.

- 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.)

The route leaves Aldcliffe Road by the old lodge House at Grid Ref. 469 60k and passes up the tarmacced drive to become the unadopted road, Aldcliffe Hall Drive, at Grid Ref. 468 603. (see 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 <u>precise</u> 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?

   From 1970 To PRESENT DAY

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

   WHEN I LIVED IN STOCKPORT, I WOULD ONLY HAVE USED THE ROUTE WHEN STAYING WITH FRIENDS IN LANCASTER.

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.

FOR PLEASURE

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)

.....

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.....

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

☑ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

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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']

DON'T KNOW ~ 4 metres?

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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]

TARMAC.

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

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

No

How long were they in place?

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

NO

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

BOLLARDS

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

☑ No

☐ Yes

If yes, please give details

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

☐ Yes

☐ Don't know

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

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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

PEOPLE WALK OR CYCLE ON THIS ROUTE AS IT IS SAFER THAN THE ROAD TO ALDCLIFFE, WHICH IS QUITE NARROW AND SOME CARS DRIVE QUICKLY ALONG IT.

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

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

☑ No

☐ 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

☐ Yes

If yes, by whom and when?

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

☑ No

☐ Yes

If yes, please give details including when this happened

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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

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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

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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

- THE ROUTE IS DESCRIBED IN THE WALKING GUIDE "WALKS ROUND LANCASTER CITY" PUBLISHED IN 2006 BY LANCASTER GROUP OF THE RAMBLERS ASSOCIATION. (WALK 4 p.9, MAP p.8)
- ALSO IN "LUNE VALLEY AND HOWGILLS. A WALKING GUIDE" BY DENNIS AND JAN KELSALL. 2012.

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]

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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

Lancashire County Council

Public Right of Way User Evidence Statement

Revised April 2016

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 Act 1998

Under the Data Protection Act 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 IAN MORGAN

Your: Home Telephone Number 01524 63918

Mobile Telephone Number 07977027160

Email Address ianmorgan47@live.co.uk

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: Ian C. Morgan

Date: 19/08/2017

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 <u>not</u> made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name IAN MORGAN

Address 6 PINEWOOD CLOSE

LANCASTER

Postcode LA2 0AD

Year of Birth 1947

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]

NO

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)

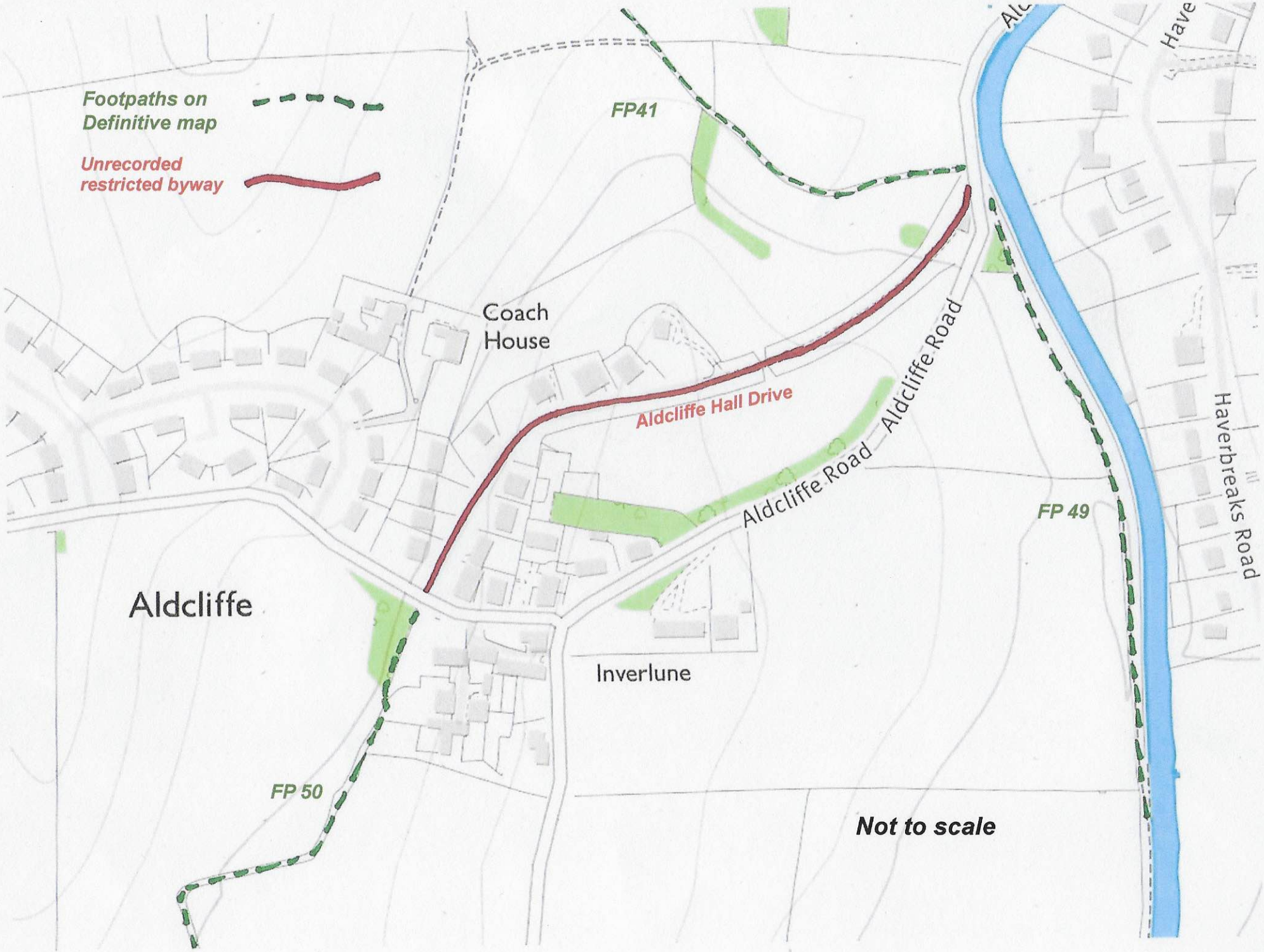
☑ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)

☐ 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".


Footpaths on Definitive map
Unrecorded restricted byway
FP41
Coach House
Aldcliffe Hall Drive
Aldcliffe Road
Aldcliffe Road
FP 49
Haverbreaks Road
Aldcliffe
Inverlune
FP 50
Not to scale

- 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.)

START POINT ALDCLIFFE ROAD. END POINT ALDCLIFFE HALL LANE

435 METRES IN DISTANCE. FROM ALDCLIFFE ROAD MATURE TREES TO BOTH SIDES FOR APPROXIMATELY 150 METRES. AT APPROXIMATELY 230 METRES 2 CONCRETE BOLLARDS TO PREVENT VEHICLE ACCESS. SURFACE TARMAC THROUGHOUT ALDCLIFFE HALL DRIVE 435 METRES AND WIDTH OF DRIVE 3 TO 4 METRES.

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?

From 2001 To 2017

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

NO

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.

PLEASURE

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)

.....

.....

.....

.....

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

☑ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

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']

3 TO 4 METRES THROUGHOUT ROUTE

.....

.....

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]

TARMAC

.....

.....


Footpaths on Definitive map
Unrecorded restricted byway
FP41
Coach House
Boulmers
Aldcliffe Hall Drive
Aldcliffe Road
Aldcliffe Road
FP 49
Haverbreaks Roau
Aldcliffe
Inverlune
FP 50
Not to scale

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

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

NO

How long were they in place?

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

NO

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

TWO CONCRETE BOLLARDS APPROXIMATELY 230 METRES FROM ALDCLIFFE ROAD STARTING POINT. BEEN IN PLACE THROUGHOUT MY TIME USING THE DRIVE

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

☑ No

☐ Yes

If yes, please give details

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

☐ Yes

☐ Don't know

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

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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

WALKING, DOG WALKING, CYCLING

.....

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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

.....

.....

.....

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

☑ No

☐ 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

☐ Yes

If yes, by whom and when?

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

☑ No

☐ Yes

If yes, please give details including when this happened

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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

.....

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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

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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]

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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