



Tim Dant <tim.dant@gmail.com>

Re: Aldcliffe Hall Drive – Public Right of Way evidence

Ian Reader <ireader72@gmail.com>

4 September 2017 at 17:12

To: Tim Dant <tim.dant@gmail.com>

Dear Tim

I have filled in the form and added an e-signature. I hope this looks ok. As indicated I am willing to be interviewed or appear at a public enquiry if required.

best wishes

Ian

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

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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 READER....

Your: Home Telephone Number01524848529

Mobile Telephone Number07596040825.....

Email Address ireader72@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: September 4th 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 IAN READER
Address
DENEHURST
SUNNYSIDE LANE
LANCASTER LA1 5ED

Year of Birth 1949

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.)

This byway runs from Aldcliffe Road (just from the point where Aldcliffe Road leaves the canal) to Railway Crossing Lane/Aldcliffe Hall Lane (the road that runs from Aldcliffe down to the Lune Estuary).

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 c. 2001..... 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 save for a seven week period in 2016 when I was out of the country.

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 or more often				or more often at some periods
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 usually with my family (or some members thereof).....

.....

.....

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

(a) on foot YES

(b) on horseback YES

(c) on bicycle/horse-drawn vehicle YES (Bicycle)

(d) with motorised vehicle PARTIALLY (UNTIL THE BOLLARDS)

(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)

7. Except that any car could not do the whole lane as there are bollards in the middle.

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.....

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

☐ Don't know (However it has followed the same route since 2001 when we first used it)

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 route itself (if taken from side to side at the widest point of the lane) is around 2 or more metres but when walking we of course use less than that and there is space for others to pass.

.....

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]

it is made up (some form of asphalt)

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

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

Not in the period when I have been using it

.....

How long were they in place?

NA.....

.....

.....

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

NA.....

.....

.....

- c. Other barriers [state what they were and location, how long they were in place and

show on your map]

Bollards in place ever since I have used it (as far as I can be aware), sited approx halfway along the route from either end.

.....
.....

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

☐ ☐ No

If yes, please give details

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.....
.....

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

Normally we walk this route (in a round circuit including the path through Freeman's Wood area, along by the river and up Railway Crossing Lane, along Aldcliffe Hall Lane to the canal and back to our house) at weekends and there are plentiful people using the route. Most are on foot but some are on bikes or horseback.

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

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

If yes, by whom and when?

.....

.....

.....

- 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

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 indicated above, I and members of my family have used this route regularly since around 2001. We moved to Sunnyside Lane, Lancaster in 2001 and have lived there ever since. When our children were small we did shorter walks but from 2001 (when the oldest was 12 and the younger one was 9) we began doing a circuit from our house that took in the lane in question virtually every weekend (often both days of the weekend). In school holidays we might do the walk several times a week; family members have walked it alone as well at various times. Our children have left home now but we still do the walk virtually every weekend we are at home, and I (Now retired) often walk it during the week as well. During our walks we have invariably met others using the lane - at weekends in particular. They range from people doing brisk walks like ourselves, to families with small children, to bicyclists and people on horseback. No-one has ever said to us that it is not a right of way.

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

☐

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Revised April 2016

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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 MRS E. SYLVIA COOPER

Your: Home Telephone Number 01524 822922

Mobile Telephone Number 07751 309492

Email Address sybriecoper@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:

E. S. Cooper

Date:

27.08.17

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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

MRS E. SYLVIA COOPER

Address

29 RUSKIN GROVE

BOLTON-LE-SANDS

CARNFORTH

Postcode LA5 8HL

Year of Birth

1937

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.)

I walked from the East Lodge gateway on Aldcliffe Road (near the canal and the end of Haverbreaks) directly to 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 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.

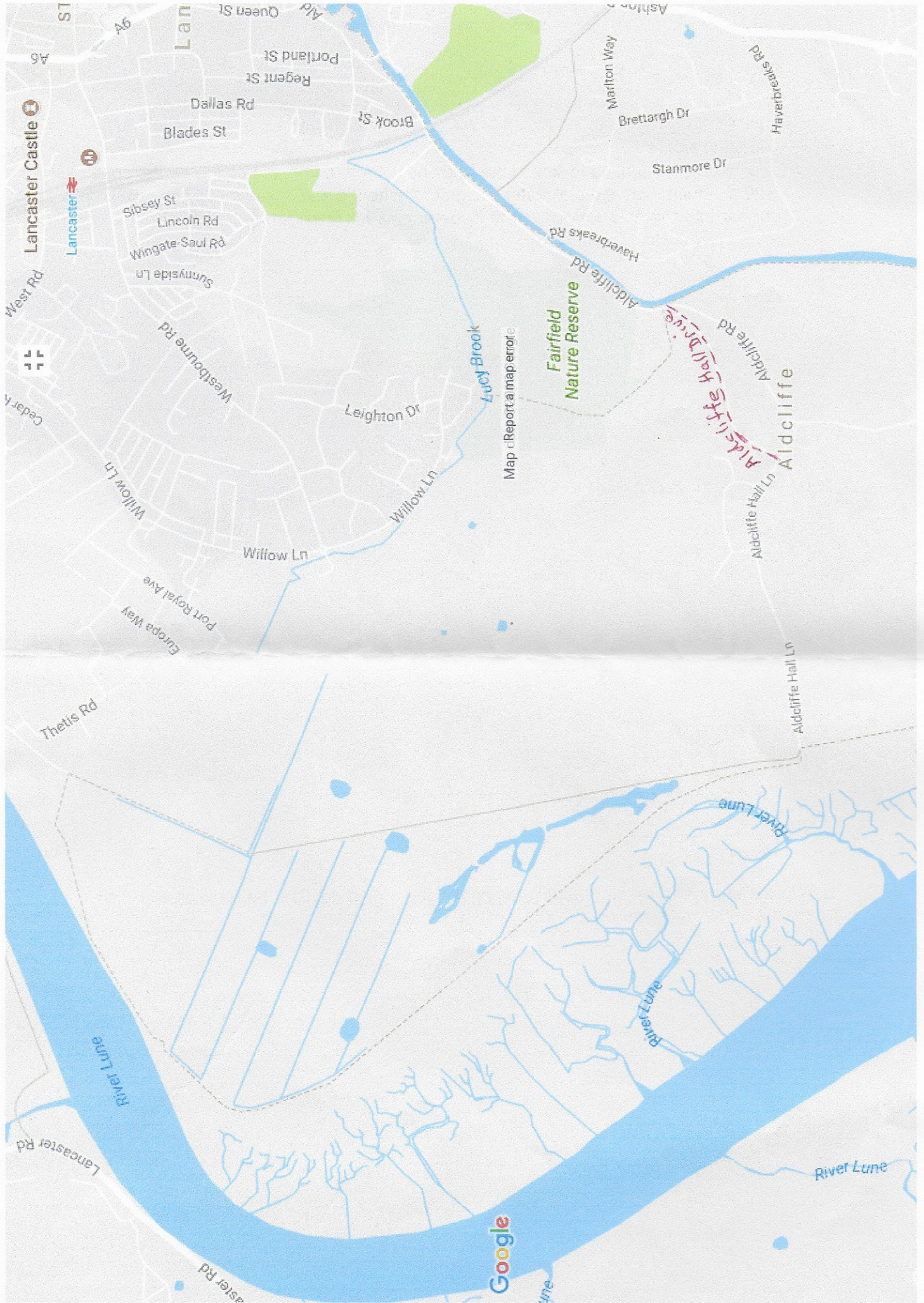
YOUR USE OF THE APPLICATION ROUTE

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

From 2014 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?

2015 - our walks programme did not cover the route in this year.



E.S. Cooper 27.8.17

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 ✓						7 times since 2014
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. I took small groups of
Bolton-le-Sands W.I. rambblers walking.

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']

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]

.....

.....

.....

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]

.....

.....

.....

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?

A resident of one of the houses on the route

b. When?

Dec. 2014

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

In "Walks Round Lancaster City"
(ISBN 0 904350 45 2) the route of Walk No. 4
follows Aldcliffe Hall Drive.

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]

.....
.....

72410

The alternative is a dangerous, narrow,
winding road with a high ledge and
fast 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



Tim Dant <tim.dant@gmail.com>

Fwd: Aldcliffe Hall Drive

Mollie Foxall <mollie.foxall@gmail.com>
To: Tim Dant <tim.dant@gmail.com>

25 August 2017 at 09:25

----- Forwarded message -----

From: <info@innerstate.co.uk>
Date: 24 Aug 2017 9:04 p.m.
Subject: Aldcliffe Hall Drive
To: <Mollie.Foxall@gmail.com>
Cc:

Hello Mollie

Saw the article about this road in the Green View magazine. I cycle occasionally to Glasson Dock from White Cross estate where I keep my bicycle and always use this road to get onto the old railway line cycle track. I can't say that I have used it for the last twenty years but have certainly used it regularly in the last 10 years approximately. I had assumed that it was a private road until I saw other people using it and would now find it a real nuisance to have to find an alternative route. I keep away from roads wherever possible and wouldn't like to have to cycle up the road that runs parallel at this point.

Hope this is helpful.

Regards

Christine E Bissell

15 Denmark Street

LANCASTER

LA1 5LY

[07939 412629](tel:07939412629)



RE: Aldcliffe Hall Drive – Public Right of Way evidence

info@innerstate.co.uk <info@innerstate.co.uk>
To: Tim Dant <tim.dant@gmail.com>

28 August 2017 at 11:40

Dear Tim

I'm attaching the completed form regarding the Right of Way document for Aldcliffe Hall Drive. Hope I've done it sufficiently usefully !

Regards

Christine Bissell

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Please print your name here ...CHRISTINE ELIZABETH BISSELL

.....

Your: Home Telephone Number ...01524 37838

.....

Mobile Telephone Number07939 412629

.....

Email Addresschristine@innerstate.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:

You should keep a copy of the completed statement

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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 CHRISTINE ELIZABETH BISSELL

Address 15 DENMARK STREET, LANCASTER,

Postcode LA1
5LY

Year of Birth 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]

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. * (see below)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

- * I'm assuming this would include all forms of wheelchair.

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".
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- 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 entrance by the old Lodge following the road up the hill and down the other side to 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 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 ...2007..... 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?

Prior to this 2007 I didn't have a cycle and would have used to old railway line route from Freeman's Wood to walk to Glasson Dock. Since acquiring a bike I keep it at my workshop at White Cross for leisure rides at weekends so this is the obvious route for me cycling to Glasson Dock.

.....

.

.....

.....

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			X			
By car						
Other [please specify]						

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

Leisure cycle rides to Glasson Dock and beyond.

5.

.....

.....

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

- (a) on foot X
- (b) on horseback X

8

- (c) on bicycle/horse-drawn vehicle x
- (d) with motorised vehicle
- (e) other, please specify

.....

7. 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?

- x 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']

Road width – would take a motor vehicle and two could pass with care.

.....

.....

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 that I am
aware.....
.....
.....

How long were they in place?

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

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

I think there is a gate nearly at the top of the hill but I don't recall it ever being closed.

.....
.....

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 top of the hill but I don't know how long they have been in situ.

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

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

☒ No

☐ Yes

If yes, please give details

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.....

.....

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

The reason I started using this route was because I saw other people either walking or cycling up this road. I have previously thought it was a private route although there is nothing to suggest that. The Lodge was occupied for many years which made me think it was a private road but the Lodge has been empty and semi-derelict now for many years.

.....

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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?

.....

.....

.....

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]

If you are walking or cycling and wish to join Aldcliffe Hall Lane this is the safest route. The alternative section of road is dangerous for walkers and for less experienced cyclists such as myself. I try to avoid cycling on roads wherever possible and would not feel safe cycling this particular section. I would probably have to get off my bike to push it up the hill which curves round and would not feel safe doing that.

.....

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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 MARJORIE MILLAR

Your: Home Telephone Number 01524 842646

Mobile Telephone Number

Email Address marjoriemillar@tiscali.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 Millar

Date: 20/9/17

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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name MARJORIE MILLAK

Address 17 Haverbreaks Place
Lancaster
LA1 5BH

Postcode LA1 5BH

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]

.....

.....

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

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 1985 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.

walking, (with and without dog)
jogging
cycling occasionally.

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 2-3 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

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

There are usually other people passing.....

.....

.....

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 always believed this is a public right

Quay. It is used by so many people
Locals and visitors. Many hikers
use it. Have met people from abroad
admiring the view. It is a safe way to get
to the path on the estuary.

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



Tim Dant <tim.dant@gmail.com>

Fw:

David Owen <adowen12@sky.com>
Reply-To: David Owen <adowen12@sky.com>
To: Tim.dant@gmail.com

21 September 2017 at 18:44

--- On

> To: "adowen12@sky.com" <adowen12@sky.com>

> Date: Thursday, 21 September, 2017, 16:43

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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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- 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 Owen

Your: Home Telephone Number 01524 599134

Mobile Telephone Number 0777 260 6671

Email Address ADOWEN12@SKY.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: David Owen

Date: 21 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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

NameDavid Owen.....

Address1 Grant Close.....

.....Lancaster.....

.....

.....Postcode LA1 5EL.....

Year of Birth

.....1964.....

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.)

Commonly called Aldcliffe Hall Lane, the route gradually rises from the canal towards Aldcliffe running roughly parallel to Aldcliffe Road .

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 1998 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		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, exercise, dog walking.....

.....

.....

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

(a) on foot

☒ x

(b) on horseback

☒ x

(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?

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']

Single track roadway.....

.....

.....

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 prevent cars/lorries using this as a cut through but do not affect pedestrians or cyclists

.....

.....

.....

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

X 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?

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)?

☒ 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 provides a safe alternative for pedestrians and cyclists avoiding the unlit and lack of pavements associated with Aldcliffe Road.

.....

.....

.....

.....

.....

.....

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.

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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

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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 CAROLYN WILSON

Your: Home Telephone Number 01524 843505

Mobile Telephone Number 07970860136

Email Address dcwilson61@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:

Carolyn Wilson

Date:

4/09/2017

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

CAROLYN WINSON

Address

1 COTTAGE FARM

ALDCLIFFE

LANCASTER

Postcode

LA1 5AR

Year of Birth

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?

- ☒ 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 2004 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

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 into town because the main road is so dangerous.

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']

A CAR WIDTH

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]

TARMACADAM

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]

Only OPEN GATES

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

TWO 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

Cyclists, walkers & runners.

.....

.....

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

Public Right of Way User Evidence Statement

Revised April 2016

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Please print your name here PHILIP JOHNSTONE

Your: Home Telephone Number 01524 37688

Mobile Telephone Number 07934 620488

Email Address phil@attamail.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:

8 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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

PHILIP JOHNSTONE

Address

48 RYDAL ROAD

LANCASTER

Postcode LA1 3HA

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]

YES: 55 PARK ROAD, LANCASTER

1980-1987

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, Aldcliffe, Lancaster

OS Grid Refs SD46936041 — SD46626020

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.

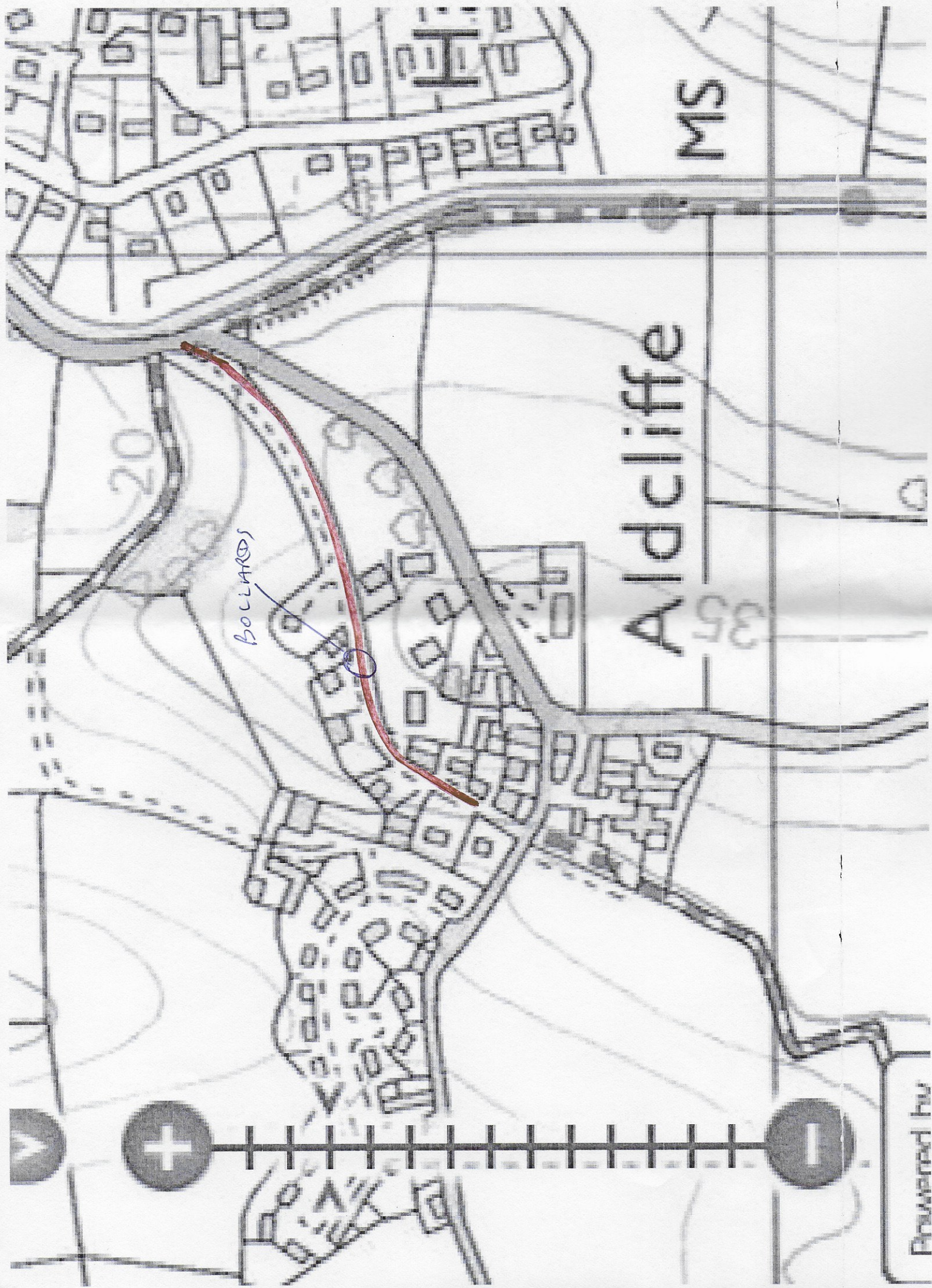
YOUR USE OF THE APPLICATION ROUTE

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

From 1980 To 2017 (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



MS

Aldcliffe

35

bollards

+

-

Drawn by

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

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']

4 m or wider (tarmac area)

.....

.....

.....

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 TO RESTRICT MOTOR VEHICLES

..... - 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

..... MANY WALKERS AND CYCLISTS, ON MANY

..... OCCASIONS

.....

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 route is a very useful connection between

the Lancaster Canal towpath/cycleway and the Bay Cycleway (National Route 6), and avoids a steep narrow road with no means of escaping traffic. If the route were not to be a right of way, pedestrians and cyclists would be in significant danger.

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



Tim Dant <tim.dant@gmail.com>

ARA Public Right of Way

Catherine Maunder <Catherine.Maunder@scope.org.uk>
To: "tim.dant@gmail.com" <tim.dant@gmail.com>

26 September 2017 at 11:51

Hi Tim,

I attach my form relating to the PROW.

Thanks,

Catherine Maunder.



LCC User Evidence Statement.odt
384K

Public Right of Way User Evidence Statement

Revised April 2016

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Please print your name hereCatherine Maunder.....

Your: Home Telephone Number01524 33560.....

Mobile Telephone Number07506 923444.....

Email Addresscathmaunder@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: Catherine Maunder

Date: 26.09.17

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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ...Catherine Maunder.....

Address122 Coulston Road, Lancaster.....

.....PostcodeLA1 3AB

Year of Birth ...1974.....

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]

.....Haverbreaks Place, Lancaster.....

.....Dalton Square, Lancaster.....

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.)

MAP OF THE APPLICATION ROUTE

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YOUR USE OF THE APPLICATION ROUTE

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

From ...1974..... 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 – 2005 because I was living abroad.....

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			Y			
On horseback						
By pedal cycle				Y		
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 (i.e. going out for a walk or for a cycle ride), and to visit friends.....

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

- | | |
|------------------------------------|---|
| a) on foot | Y |
| b) on horseback | Y |
| (c) on bicycle/horse-drawn vehicle | Y |
| (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]

.....

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

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

.....Not as long as I've been using it.....

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 can remember, and never has there been a locked gate.

.....

- 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

Over the years, I've always seen walkers, cyclists and horse riders using this 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?

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ELIZABETH JEAN HACKING

Address GREENACRES
HAVERBREAKS RD
LANCASTER

Postcode LA1 5BJ

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".

- 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.)

.....
 Existing private road — Adcliff 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 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		☒				
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']

8 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]

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 — 2 or 3 to prevent vehicles using the route. I think they were installed about 20 years ago.

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

..... Frequently to get to the river on foot
..... or by bike avoiding the dangerous public
..... road (Aldcliff Road) which has no foot ways.....

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]

We have used this route all the time I have lived
here (30 years) without problems

.....

.....

.....

.....

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



Tim Dant <tim.dant@gmail.com>

RE: Aldcliffe Hall Drive – Public Right of Way evidence

Emily Heath <emilyheath@phonecoop.coop>

5 September 2017 at 16:09

To: Tim Dant <tim.dant@gmail.com>

Hi Tim,

I'm sorry it has taken me so long to complete this form (you know why!) but here it is – hope it's not too late.

Please could you check that I have described the route correctly – it's surprisingly difficult to remember precise details (such as where exactly the bollards are) even though I'm very familiar with it!

Emily



LCC User Evidence Statement E Heath.docx
693K

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 **EMILY HEATH**

Your: Home Telephone Number **01524 380169**

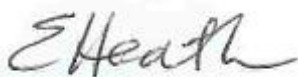
Mobile Telephone Number **07419 209964**

Email Address **emilyheath@phonecoop.coop**

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: 5 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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Emily Heath

Address 24 Meadow Street, Lancaster

Postcode LA1 5PH

Year of Birth 1972

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]

53 Lincoln Road, LA1 5DJ (Nov 2008 – July 2010)

4 Rossmoyne Road, LA1 4SN (July 1993 - Nov 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)

YES 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.

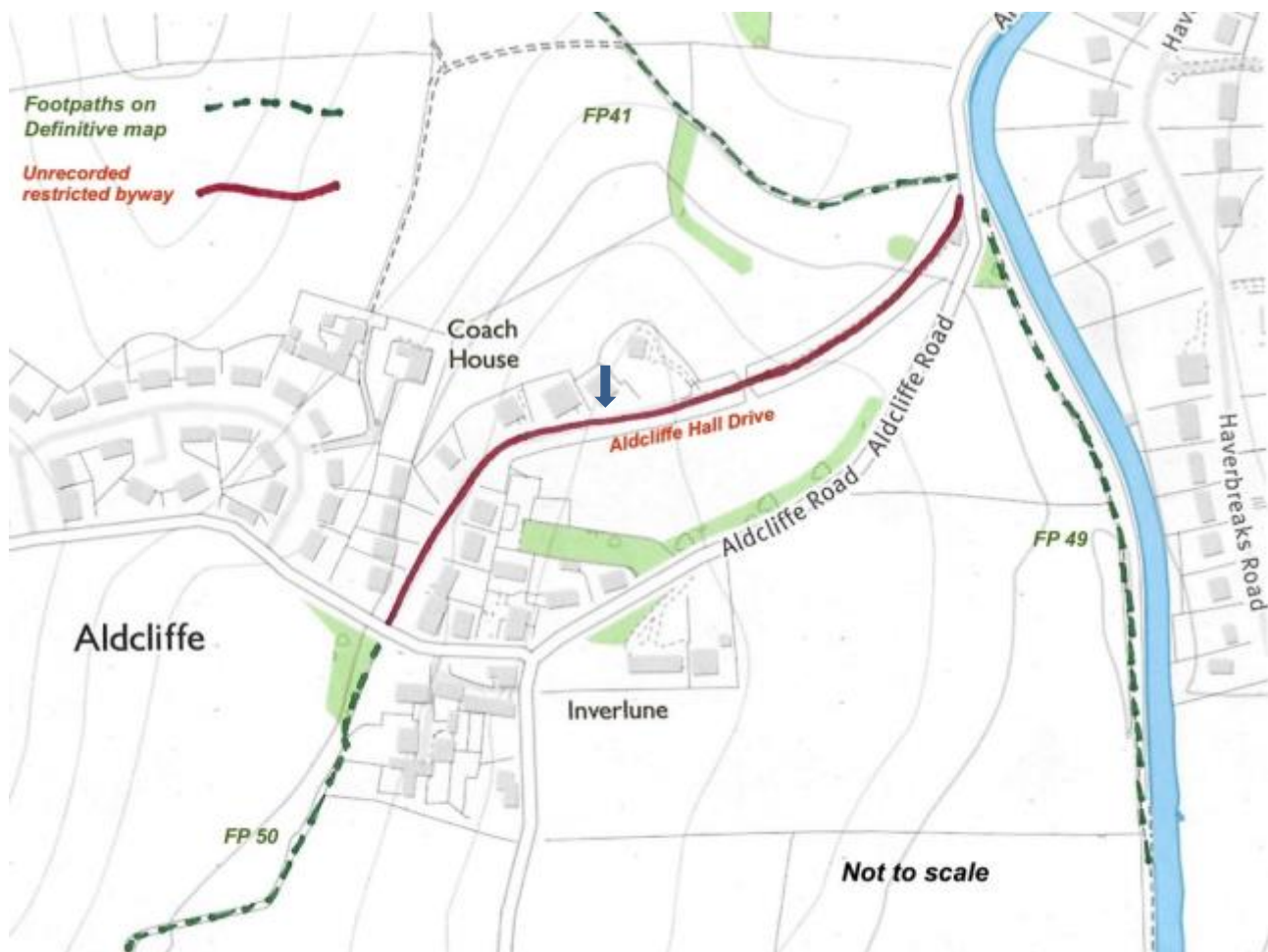
- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".
- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along 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 shown by the red line on the map overleaf. It starts between the stone gateposts by East Lodge. It is tarmacked and rises gently uphill, with mature trees on both sides on the grass verges which are full of flowers in spring. The drive has

wonderful views across pastures, woods and the Lune Estuary towards the Lake District. There are bollards at the point marked with a blue arrow on the map, which are permeable to pedestrians, horseriders and cyclists, but prevent vehicular through-traffic. There are some large detached houses on both sides of the drive, some of which have been constructed since I began walking and cycling along this route in 1993. There is an Aldcliffe Parish Council noticeboard on the right just before the drive becomes more like a normal residential road. The drive ends at the junction with Aldcliffe Hall Lane, and opposite a metal gate which provides access to Footpath 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.



E Heath

5 September 2017

YOUR USE OF THE APPLICATION ROUTE

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

From 1993 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?

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, as a safe walking or cycling route connecting the canal towpath on Aldcliffe Road with Aldcliffe Hall Lane, Footpath 50 and the Lune Estuary. I have walked or cycled this route at least once per month between 1993 and 2008. Since moving to the Marsh in 2008 I have used it more often (on average twice a week). I walk and cycle via Aldcliffe Hall Drive for a variety of reasons, including for exercise, visiting friends who live in Aldcliffe and Stodday, birdwatching, appreciating nature and picking blackberries.

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

- | | |
|------------------------------------|--|
| (a) on foot | YES - FREQUENTLY |
| (b) on horseback | YES - OCCASIONALLY |
| (c) on bicycle/horse-drawn vehicle | YES - FREQUENTLY |
| (d) with motorised vehicle | YES - OCCASIONALLY |
| (e) other, please specify | YES - WHEELCHAIRS, PUSHCHAIRS
MOBILITY SCOOTERS |

6. Were they using exactly the same route as you? YES
7. Has the application route always followed the same course? YES
8. Approximately how wide is the application route? Approximately 5 metres
9. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

I think it is tarmacked along its whole length

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

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

No

- 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 apart from the permeable bollards already described above.

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

No

12. 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

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

Yes - I usually see other walkers, dog-walkers, bird-watchers and joggers. I often see cyclists, and I occasionally see horseriders or people with pushchairs, wheelchairs or mobility scooters.

Land Ownership

14. 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

15. Did the owner or occupier ever give you permission (or did you seek permission) to use

the application route?

No

16. 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

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

No

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

No

19. 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

20. 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

21. 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?

Aldcliffe Hall Drive is extremely well used. It is a very pleasant route in its own right, but is also a key connection between several other footpaths and byways. It is vital for the safety of cyclists, horseriders and pedestrians. I never walk or cycle via the alternative route of Aldcliffe Road (from East Lodge to Aldcliffe Hall Lane) because it carries lots of fast vehicular traffic, has no pavement and has poor visibility so I would not feel safe.

22. 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

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

Yes

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 *GERALD VINESTOCK*

Your: Home Telephone Number *01524. 389548*

Mobile Telephone Number

Email Address *geraldvinestock@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:

G Vinestock

Date:

13/05/17

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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

Gerard Vinstock

Address

7 HUTTONS GATE
LANCASTER

Postcode

LA1 5BX

Year of Birth

1937

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

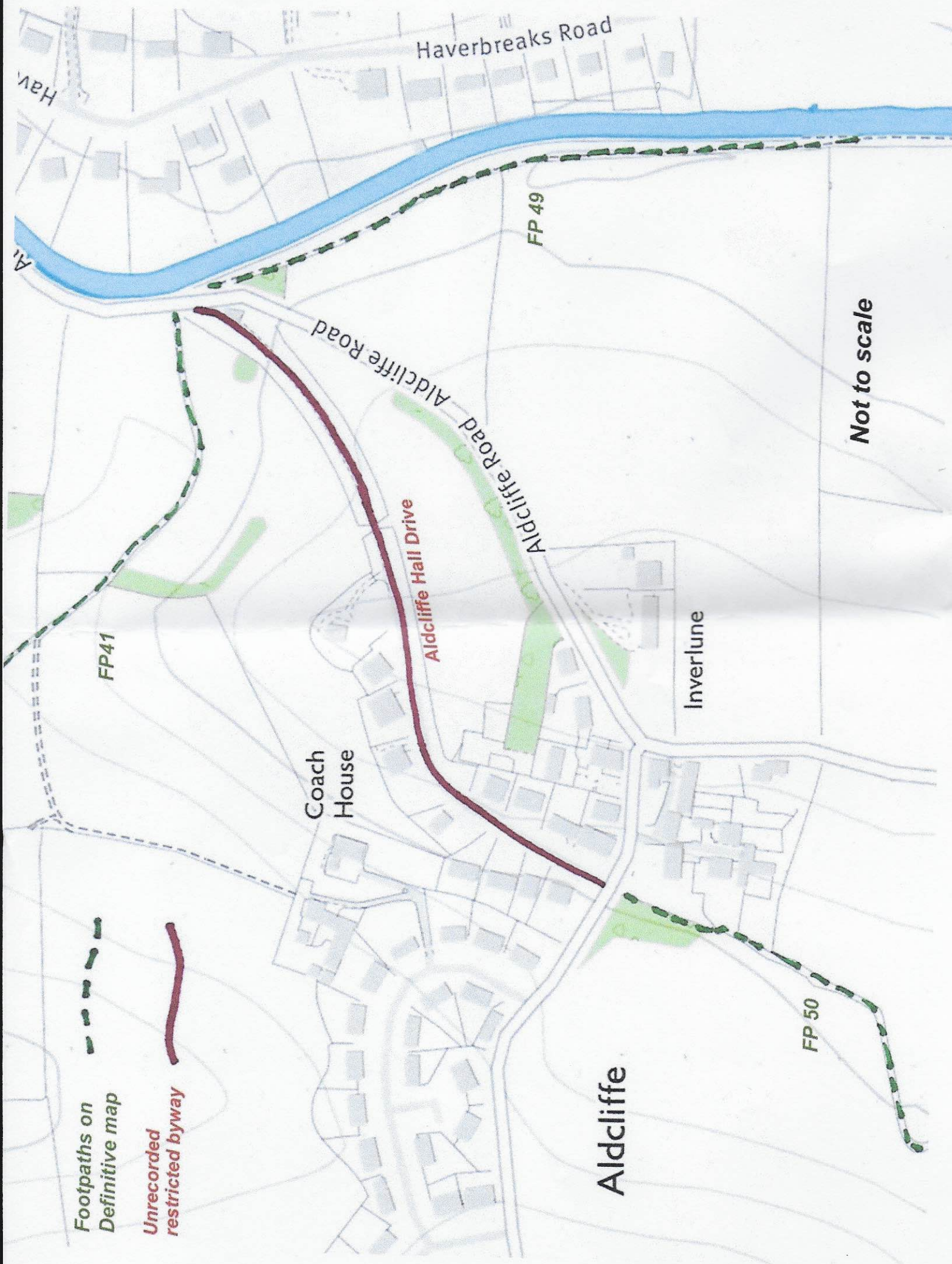
1. How do you think the application route should be recorded?

- ☐ 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.)

435 metres (0.27 miles) Between
 Alwyffe Road and Alwyffe Hall Lane
 Linking FP 41, FP 49, 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 200 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 - PART OF EXTENDED
WALK

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]

earth + semi paved.

.....

.....

.....

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]

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

..... WALKERS ON MANY OCCASIONS
.....
.....

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.

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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.

NB - Please check page numbers as did not print in order.

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 ALISON KABERRY

Your: Home Telephone Number 01524 382568

Mobile Telephone Number

Email Address ajk@phone.coop.coop

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: AKaberry

Date: 20.9.17

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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ALISON KABERRY

Address 21 PICKARD ST, LANCASTER

Postcode LA1 4UG

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]

Cheltenham Rd, L/c 1990-94, Verna Park, Galgate, 94-95
Charles St, L/c 95-97, Halton 97-2005, Pickard St, L/c 2005 - present

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 (Lancaster) (marked on map) runs between Aldcliffe Rd at the bottom (opposite the canal) and Aldcliffe Hall Ln & is marked by a small stone house dated 1827 on the left at the bottom, is lined by trees & a field on either side at the lower end & by detached residences at the top (including some new builds on the left).

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

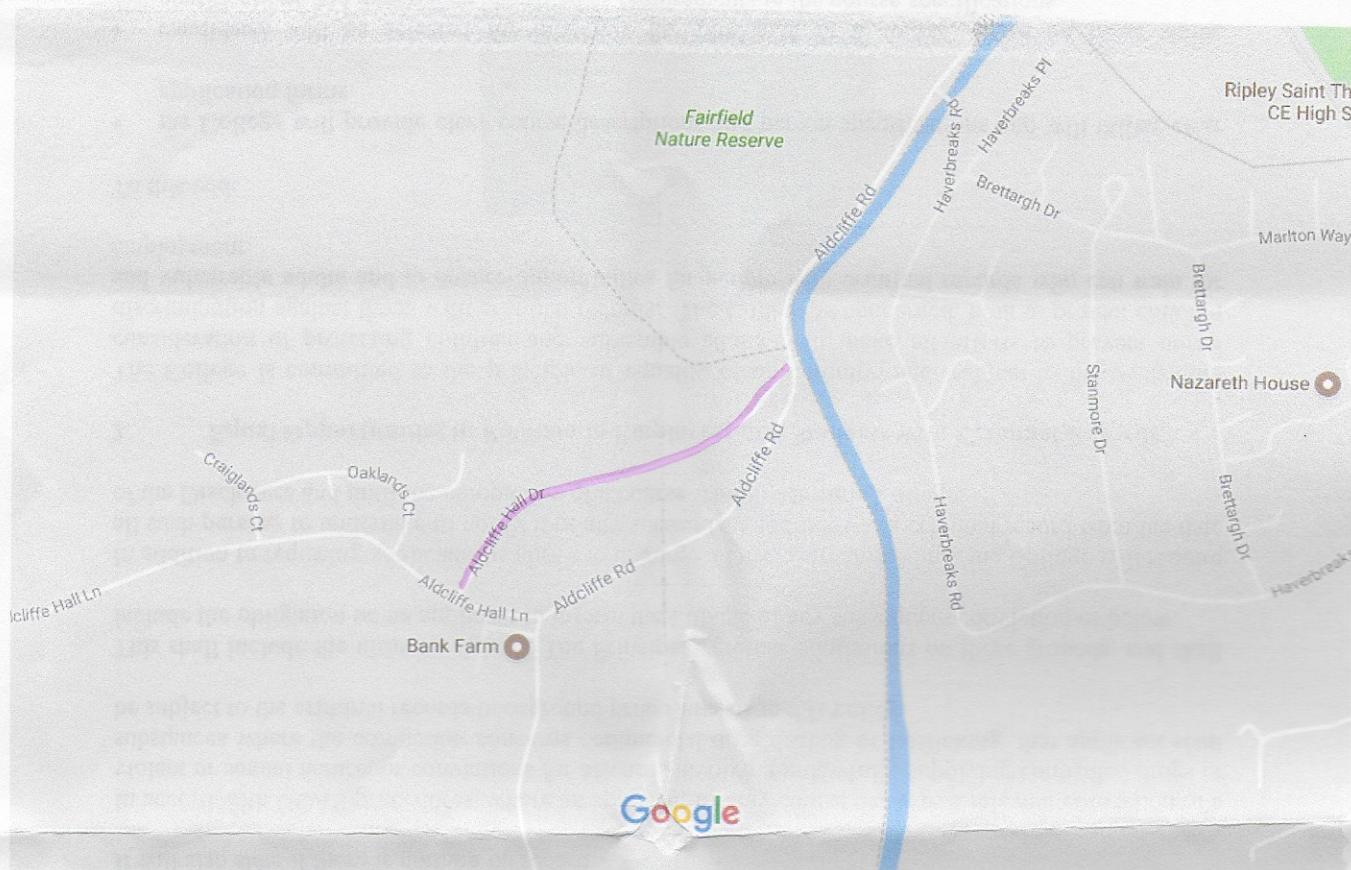
1. In which years did you use the application route?

From 1990 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?

1997-2005 - Very rarely used route due to living outside Lancaster

Google Maps



Map data ©2017 Google United Kingdom 100 m

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						Several times a year
On horseback						
By pedal cycle						Several times a year
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
 Visiting one of the houses.

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 (As long as I have used it)

☒ Don't know Prior to 1990.

☐ 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']

Approximately 2m from lower end to just beyond billiards

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 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]

Only at entrances to fields but not across route
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]

Not as far as I know (apart from bollards at top
preventing vehicular access).

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 walking or 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

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]

Aldcliffe Hall Drive provides a pleasant & safe route away from the main road, between the canal & Aldcliffe village, for the general public wishing to access the village or the paths & cycleways beyond, towards & along the estuary. The alternative route along the main road would present the risk of danger to pedestrians because of restricted vision due to the bends in the road & also a lack of 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

✓ I am not aware of any reason why the route should not be available for public use & its continued use over many years by the general public, along with the risks to pedestrians from traffic on the main road, make a strong case for it to remain open for public use.



Tim Dant <tim.dant@gmail.com>

aldcliffe route

Paul Tynan <tynanpaul01@gmail.com>
To: Tim.Dant@gmail.com

3 August 2017 at 19:28

Hi Tim, I can confirm that I have used this route for at least 20 years. I remember running around that area when we first arrived in Lancaster in 1991. I remember cycling with the children aged 2-3, so about 1993 -95 ish and after. I remember taking an expedition from Scotforth school (friends of scotforth school - FOSSY) in about yr 2000. Hope this helps and willing to give testimony. I am a local GP in the area if that carries any weight Paul

--

This is a shared email address for Paul and Jan Tynan



Re: Aldcliffe Hall Drive – Public Right of Way evidence

Paul Tynan <tynanpaul01@gmail.com>
To: Tim Dant <tim.dant@gmail.com>

17 August 2017 at 20:54

please find attached relevant form re Aldcliffe Hall Drive Paul

PS I clearly remember running around this area in the early 90's and also taking a party of school kids on a cycle trip circa 1999 - 2000 if that helps

This is a shared email address for Paul and Jan Tynan



LCC User Evidence Statement.docx
400K

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.

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Please print your name here ...Paul Tynan.....

Your: Home Telephone Number01524 388283.....

Mobile Telephone Number07826721420.....

Email Addresstynanpaul01@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 Tynan

Date: 17/8/17

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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name.....Paul Tynan

Address 1 eden park, lancaster

.....

.....Postcode LA1 4SJ

Year of Birth1960.....

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]

..... 14 Clougha avenue Lancaster ... 1990 - dec 1994.....

.....

ABOUT THE APPLICATION ROUTE

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

no As a footpath (public rights on foot only)

no As a bridleway (public rights on foot and on horseback or bicycle)

yes 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.)

.....

.....

.....

.....

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?

From1991..... Tocontinued use including august 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			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.

pleasure.....including taking the children on trips and my personal exercise.....

.....
.....

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 ☐ yes
(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']

...enough to allow 2 cars to pass at a pinch. Narrower at the north east end

.....
.....

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 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 to my awareness.....

.....

.....

- 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

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

...many times seen other walkers and cyclists on this route over very many years...

.....
.....

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

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

If yes, by whom and when?

.....
.....

.....

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

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

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

☐ Yes



Public Right of Way User Evidence Statement

Revised April 2016

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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 JACKIE GIBSON

Your: Home Telephone Number 01524 60398

Mobile Telephone Number 07960025513

Email Address Jackie.c.burgess@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: J Gibson

Date: 19th 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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name JACKIE GIBSON

Address 20 LONSDALE PLACE

BOWERHAM

LANCASTER

Postcode LA1 4BX

Year of Birth 20th APRIL 1961

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]

GREAVES ROAD LANCASTER 1996 - 1998

KELSEY STREET LANCASTER 1999 - 2004

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.)

ACROSS FROM THE CANAL UP PAST THE LODGE
WHICH IS ON THE LEFT. STRAIGHT UP THE MIDDLE
WHICH HAS MATURE TREES ON BOTH SIDES. PAST
A FEW HOUSES ON THE RIGHT. PAST CONCRETE POSTS ONTO
THE NORMAL ROAD SURFACE AND HOUSES ON BOTH SIDES.

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 1995 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 GOING ON A WALK DOWN TO
THE CYCLE PATH THEN ONTO CONDOR
GREEN.

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)

N/A

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

N/A

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']

ENOUGH ROOM FOR SIX OR SEVEN PEOPLE
TO WALK ABREAST SO ABOUT TWELVE FEET ACROSS.

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]

HARD FLAT SURFACE FROM THE LODGE
TO THE CONCRETE POSTS - THEN NORMAL ROAD
AFTERWARDS.

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]

CONCRETE POSTS SITUATED WHERE THE
ROADWAY WITH GRASS VERGES FINISH AND THE ROAD
WAY WITH PAVEMENT BEGINS.

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

.....
FAMILIES 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 N/A

☐ 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/A

☐ 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

N/A

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

A MAP BOUGHT IN 1995 FROM W H SMITH
OR TOURIST OFFICE. THE SAME MAP USED FOR
MAP OF THE APPLICATION ROUTE ON PAGE 4.

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]

THERE IS NO OTHER SAFE ROUTE ON
FOOT TO GET DOWN TO THE CYCLE PATH (OLD RAILWAY
FROM THE CANAL - 10

.....

.....

.....

.....

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

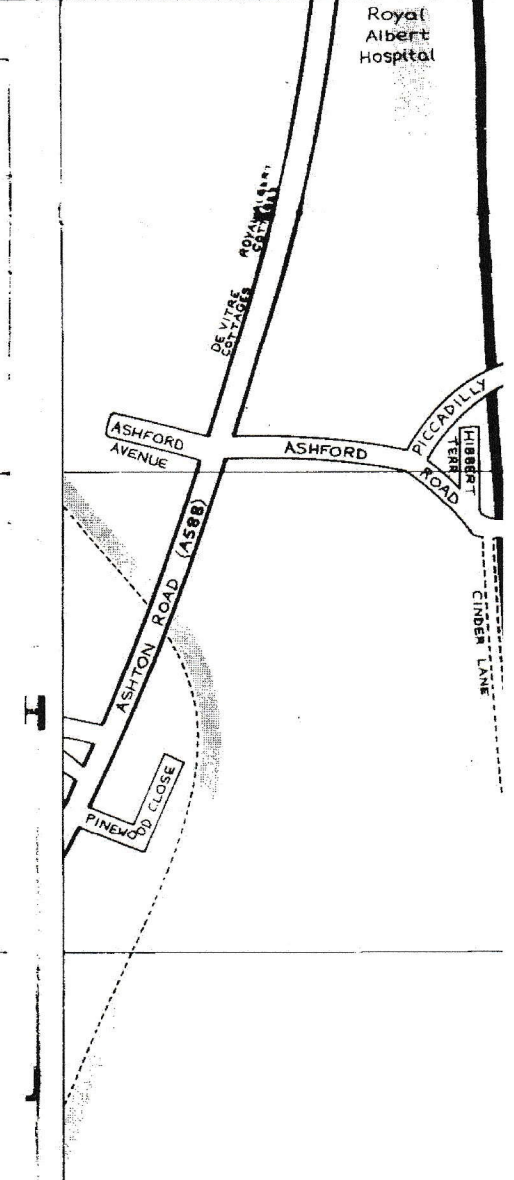
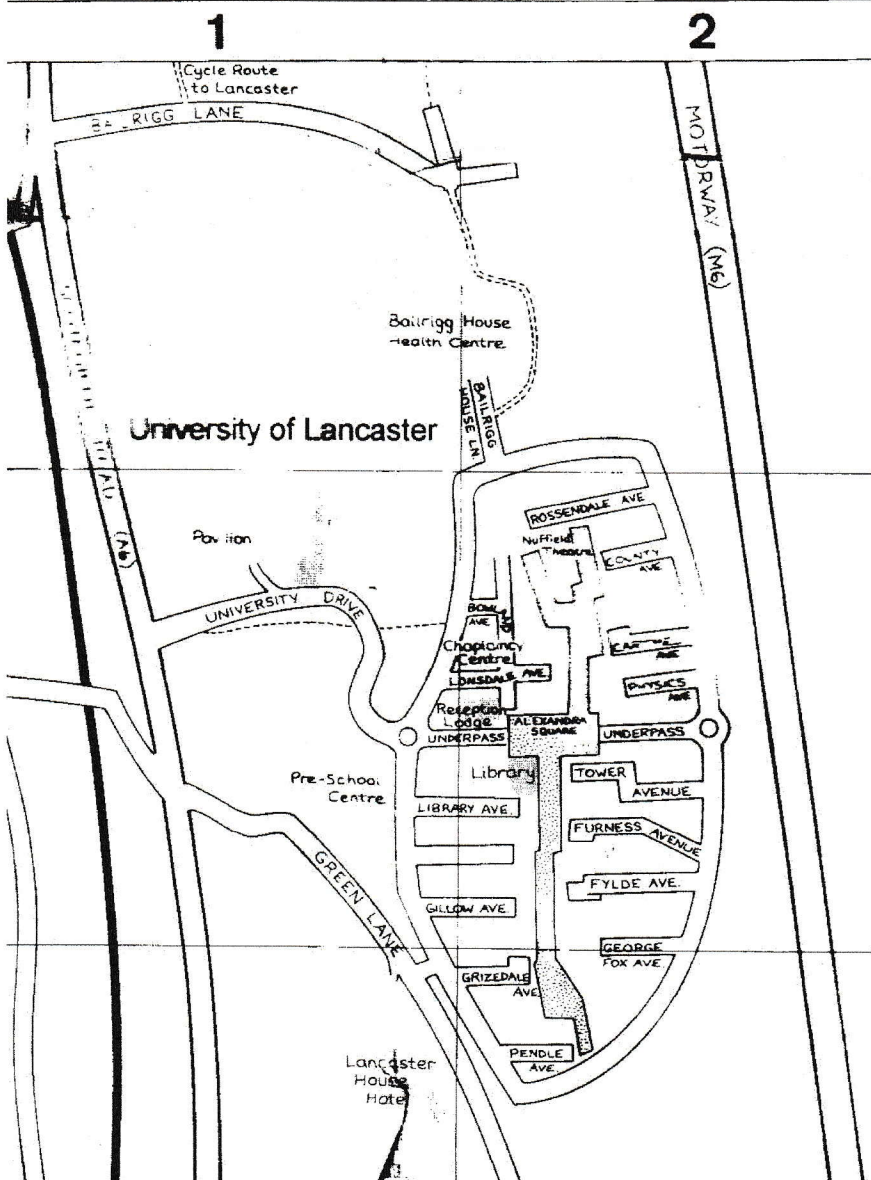
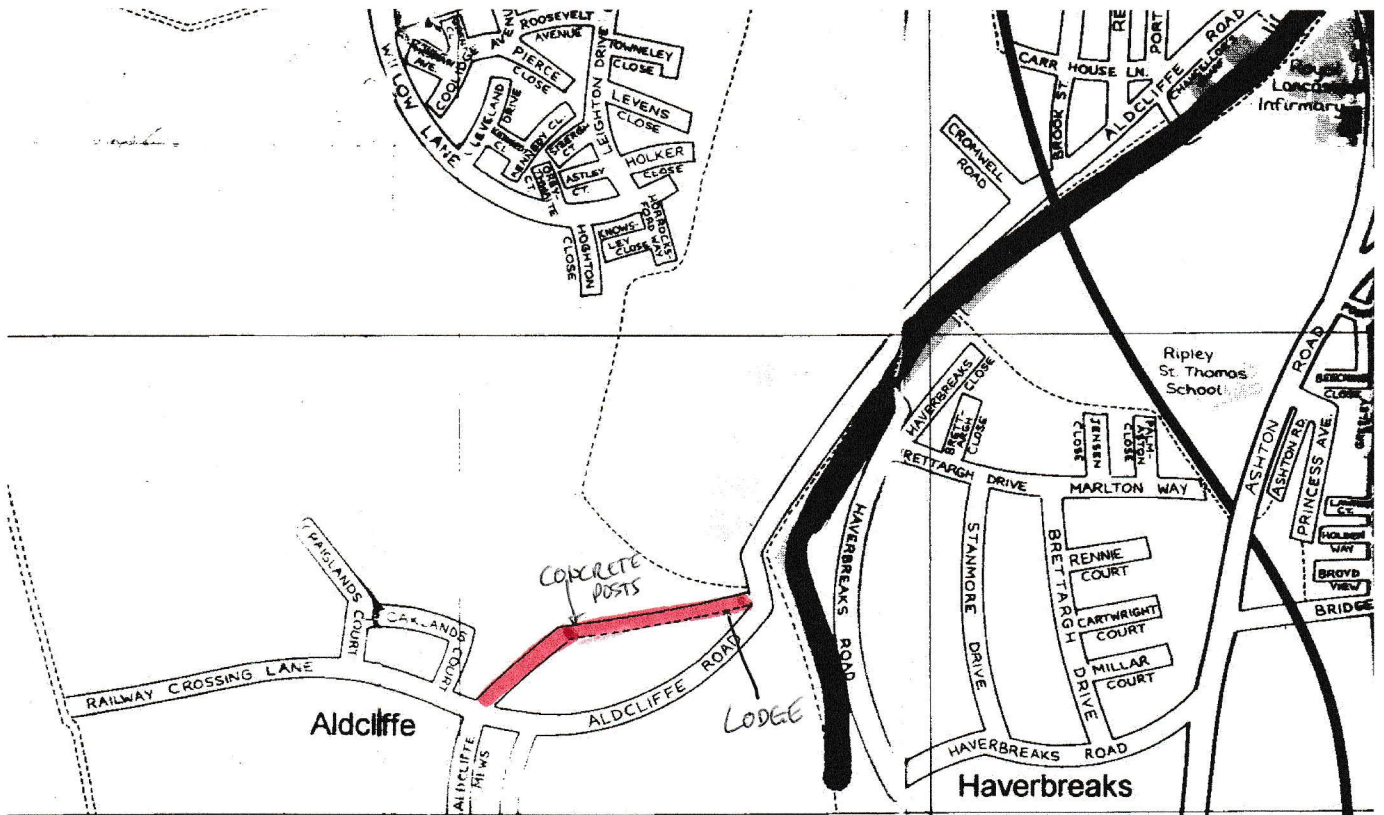
☐ No

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

☐ Yes

☒ No

J Gibson 21/SEPTEMBER/2017



5th Burgess

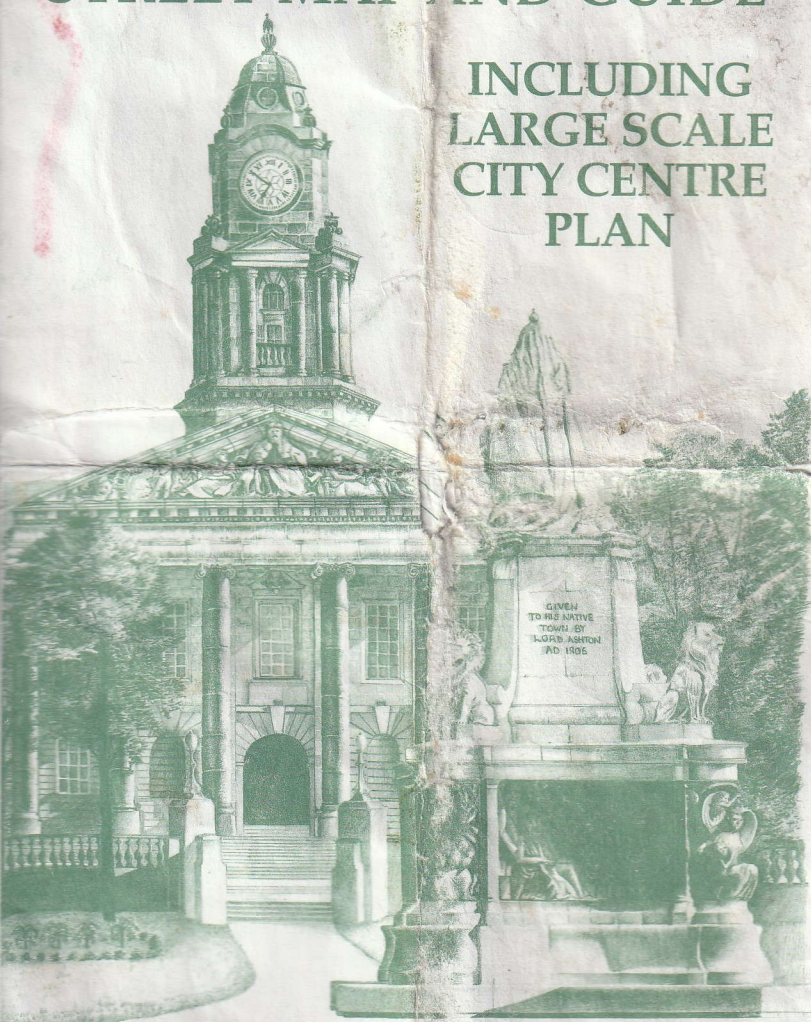
80p



THE HISTORIC CITY OF LANCASTER

STREET MAP AND GUIDE

INCLUDING
LARGE SCALE
CITY CENTRE
PLAN



PLACES TO VISIT
ARTS AND LEISURE GUIDE
COMPREHENSIVE STREET INDEX
USEFUL INFORMATION
CAR PARKS

EL

2
02
G5
F4
E2
F4
C4
D4
C5

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 A. E. HUNTINGTON

Your: Home Telephone Number 01524 843245

Mobile Telephone Number 07506620235

Email Address Annieuk5@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: A. Hunting

Date: 10/9/17

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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

ANN ELIZABETH HUNTINGTON

Address

56, BLADES STREET

LANCASTER

LA1 1TS

Postcode

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]

37, PRIMROSE ST. L/C LA1 3BN

ABOUT THE APPLICATION ROUTE

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

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

2. Describe the application route.

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

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

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

Through the old gates by the little house on the (L) which no one seems to live in despite sporadic renovation work over the years. Up through the trees with the field on the (L) (usually but not always populated by sheep). Past the new houses on the (L) and the older houses on the (R) to the little road that takes me down to the old railway line.

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

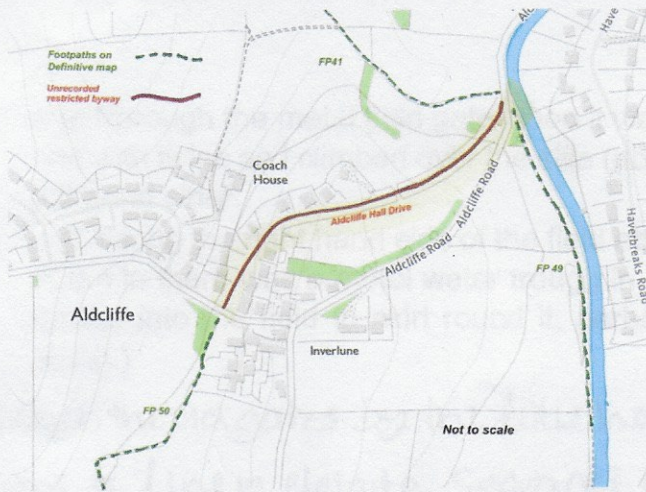
1. In which years did you use the application route?

From UNSURE OF START DATE To CURRENT USE

I WAS BORN IN LANCASTER AND HAVE USED THIS PATH FOR MANY YEARS (MINIMUM 20 AS AN ADULT)

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

1989-1995 - Living & working in Bolton / Manchester / Greater
2011-2014 - LIVING IN NEW ZEALAND.



- 1 -

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 UNSURE OF START DATE To CURRENT USE

I WAS BORN IN LANCASTER AND HAVE USED THIS PATH FOR MANY YEARS (MINIMUM 20 AS AN ADULT)

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

1989-1995 - Living & working in Bolton / Manchester / Greater

2011-2014 - LIVING IN NEW ZEALAND.

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			✓ CURRENT	✓ PREVIOUS		
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 (CIRCULAR FROM HOME TO
ESTUARY / OLD RAILWAY LINE AND TITEN PREEMANS
WOOD / MARSH).

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']

VARIES A LITTLE. CAN WALK TWO ABREAST
AND STILL LEAVE ROOM FOR OTHERS PASSING IN
EITHER DIRECTION.

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]

GRAVEL SEAMED ROAD/PAVE IN PART.

.....
.....

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

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

CAN'T REMEMBER

How long were they in place?

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

GATE AT CANAL END – NO GATE CURRENTLY
OR EVER THAT I CAN REMEMBER.

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

joggers, walkers, horse riders, people with prams.....
 Lots of dog walkers at varying times.....

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

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 *PETER JENNINGS*

Your: Home Telephone Number *01524 66736*

Mobile Telephone Number

Email Address *PJennings36@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: *P. Jennings*

Date: *17.08.2017*

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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name PETER L. JENNINGS

Address 1 OAKLANDS COURT

..... ALDCLIFFE, LANCASTER

..... Postcode LA1 5AT

Year of Birth 1936

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)

1. Describe the application route.

ALDCLIFFE HALL DRIVE

(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 full length of 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 *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?

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.

..... work and 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?

.....

.....

.....

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']

3 meters

.....

.....

.....

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]

Tarmac

.....

.....
.....

8. 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]

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

..... Rollbacks to prevent total access for

..... Vehicles

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

.....

.....

.....

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

.....

.....

.....

6. 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?

.....

6. 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?

.....

.....

.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

6. 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

.....

.....

.....

6. 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

6. 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

.....

.....

.....

6. 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 alternative of Aldcliffe Rd. for
cyclists & pedestrians is extremely dangerous
due to poor sight lines & absence of a footpath.

.....

.....

.....

7. 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

6. 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.

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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 JON BARRY

Your: Home Telephone Number 01524 844113

Mobile Telephone Number

Email Address jon-barry@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:

Jon Barry

Date:

20/9/17

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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

JON BARRY

Address

145 WILLOW LANE

LANCASTER

Postcode

LA1 5PU

Year of Birth

1963

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]

26 WILLIAMSON ROAD : 1989 - 1998

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) [motor vehicles access only]
- ☐ 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 opposite the Lancaster canal at "Past Ledger". It proceeds between an avenue of trees (the original path to Aldcliffe Hall) until it ~~intersects with~~ ^{meets} Aldcliffe Hall Drive. It then goes down Aldcliffe Hall Drive until it intersects with 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 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 1989 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

Proposed on
Definitive map

Unimproved
and limited by map



START OF
ROUTE

AVENUE OF
TREES

EAST
LODGE

BOULEVARD

END OF ROUTE

Aldcliffe

Aldcliffe
HALL
LAND

Map 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.

Cycle trips, getting to Lancaster University, dog walks, walks to the River Lune 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

✓
✓
✓

MOBILITY SCOOTERS

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']

..... ABOUT 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]

..... NO

.....

.....

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]

..... THERE ARE SOME BOLLARDS BEFORE THE

..... TRACK MEETS THE ROAD BY DEACCLIFFE

..... HALL 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

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

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

..... The route is frequently used by cyclists
..... and 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

☐ 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?

I was aware that the part of the route along the avenue of trees was not public but I always assumed that the public could use it.

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



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.

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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 JUDITH BURLOCH

Your: Home Telephone Number 01524 381538

Mobile Telephone Number

Email Address JUDITHBURLOCH@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:

J. Burloch

Date:

23.8.17

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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

JUDITH BULLOCK

Address

3 BROOKFIELD ALDCHIFFE HALL DRIVE

ALDCHIFFE

KANABETON

Postcode LA1 5BP

Year of Birth

1943

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 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 1999 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?

ANNUAL HOLIDAYS

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 SAFETY OF WALKING INTO TOWN!
THE MAIN RD IS USED AS A RAT RUN &
IS EXTREMELY UNSAFE!

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]

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

A POPULAR & SAFE WAY TO ~~THE~~ ACCESS
FOOTPATH TO ESTUARY & EAST TO THE
CANAL & TOWN

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?

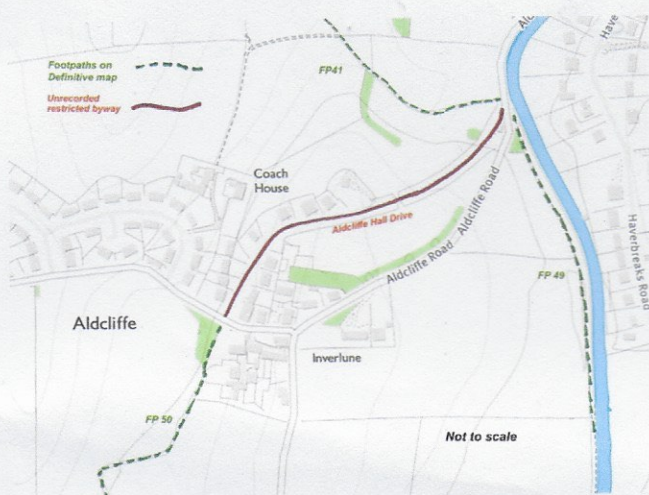
☐ Yes

☒ No

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).



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.

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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- 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 DIANA MOUNTAIN + GELLERSEN FAMILY.

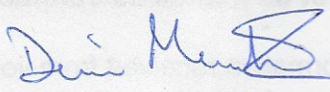
Your: Home Telephone Number 01524 32312

Mobile Telephone Number 07732 487105

Email Address diana.mtn2@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: 04/09/2017

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 Diana Mountain & Hans Gellersen + 4 Gellersen children

Address One Tree Hill,
Aldcliffe Hall Drive
Aldcliffe

Postcode LA1 5BG

Year of Birth 1963, 1966, (+1995, 1998, 2001 & 2005)

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: Regent Street, LANCASTER in 2001

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.)

From Aldcliffe Road turn into Aldcliffe Hall Drive at
The Lodge House, passing between stone pillars. Heading up
hill along tarmac to the top of the hill & bollards &
joining Aldcliffe Hall Drive & car access.

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 now

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 going to work.
 " " school
 " to town, & 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

✓

on pedal cycles

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]

.....*farmac*.....
.....
.....

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]

n.a.

.....

.....

.....

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

n.a.

.....

.....

.....

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

I regularly see runners, dog walkers, cyclists, & other walkers.

I see school & similar groups using it eg. for sponsored runs (LG&S Supper run.)

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

? n.a.

☐ 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

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 to access our home.

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

In house deeds -
.....
.....

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]

Restricting access would force walkers & cyclists onto a
footpathless road (Aldcliffe Road) & be v. 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



Tim Dant <tim.dant@gmail.com>

Re: Aldcliffe Hall Drive - public right of way

Gordon Phillips <gordon.phillips123@gmail.com>

21 September 2017 at 22:36

To: Tim Dant <tim.dant@gmail.com>

I attach the statement of evidence, partially completed. I should mention that I am partially sighted, and have had to alter the format to enter my answers.

Gordon Phillips

On 10/09/2017 12:57, Tim Dant wrote:

Dear everyone,

There has been a very good response to our search for evidence from people who have been using Aldcliffe Hall Drive over the last twenty years or more. If you've already returned a form - thank you! If you haven't but would still like to, would you send it to me before the 22nd September 2017 so that we have time to summarise the evidence before taking it to the Parish Council meeting early in October. If you've lost track of the form or would like it on paper let me know.

Best wishes

Tim

Tim Dant
Shorefield, Aldcliffe, Lancaster LA1 5BG
[07429990048](tel:07429990048)
tim.dant@gmail.com



aldcliffe LCC User Evidence Statement.docx
407K

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

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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
.....Gordon Phillips

Your: Home Telephone Number
.....01524 68260

Mobile Telephone Number
.....07931 565595

Email Address: gordon.phillips123@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: 21 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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name.... Gordon Phillips

Address: Springfield, Cromwell Road, Lancaster

Postcode LA1 5BD

Year of Birth ...1942

Have you lived at any other addresses during the time you have used the path or way?

No

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 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)

Since the lane is divided by ballards, its use might appropriately vary according to whether resident householders need vehicular access.

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 lane runs from the old East Lodge of Aldcliffe Hall to the junction with the byroad linking Aldcliffe Road and the Lune cycle and pedestrian way.
.....

.....

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?

From1988 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?

.....

.....

.....

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						

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

..... For
pleasure and exercise; to visit friends in the Aldcliffe housing estate.

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 disabled scooters.

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']

.....a
pprox. 10 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]

.....
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]

.....
Stone ballards, at about half way.

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

.....F
requently used by others walking or 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

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

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

If yes, by whom and when?

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

☐ Yes

If yes – please provide details

There are bvarious historical accounts of Aldcliffe Hall, of which this was the drive, on the internet.

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 alternative route to the Lune path and the Aldcliffe estate in this vicinity would require one to alk along a stretch of Aldcliffe Road much used by taffic, without spped restrictions and lacking any pavement.

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

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.

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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 BARRY TURTLE

Your: Home Telephone Number 01524 842646

Mobile Telephone Number

Email Address barryturtle@tiscali.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: B. Turtle

Date: 20/09/17

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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Barry Turtle

Address 17 HAVERBROOKS PLACE
LANCASTER

Postcode LA1 5BH

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]

Lancaster University - 1996 - 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.)

Follow Aldcliff Hall Drive From gate-house
up to road down to estuary of River Lune.

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 ~~1995~~ 1996 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 - dog walking, access to other
rights of way
.....
.....

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']

..... 2 - 3 m.
.....
.....

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]

..... far mac
.....
.....

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]

.....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

Frequently pass other people walking or
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

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

Public Right of Way User Evidence Statement

Revised April 2016

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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

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 FRANCES CLAYTON

Your: Home Telephone Number

Mobile Telephone Number

Email Address francesgwaters@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: F Clayton

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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name F CLAYTON

Address 77 UPTON LANE
CHESTER

Postcode CH2 1ED

Year of Birth 1977

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]

1977-1986 Aldcliffe Mews, Lancaster

1986-1999 Haverbreaks Road, Lancaster

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 from 'The Lodge' to 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 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 1977 To current

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				✓		
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.

Travelling to school & to city centre

Leisure

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]

Ballards

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 people regularly use the route for dog walking,
leisure, etc

.....

.....

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

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

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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 Anne Matthews

Your: Home Telephone Number 01356 648548

Mobile Telephone Number 07552 952006

Email Address anne.am.am@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: Anne Matthews

Date: 2.10.2017

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 Anne Matthews

Address ...39 Church Street, EDZELL, Angus, Scotland

.....

.....

.....Postcode ...DD9 7 TQ

Year of Birth 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]

1946 – 1968 lived at Haverbreaks, Lancaster;

1968 - 1969 lived at Morecambe;

1969 – 1972 lived at Lancaster;

1972 – 1994 at Caton, Lancaster

1994 – 1998 at Halton, Lancaster

1998 – 2011 lived at Caton, Lancaster

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)

☐ **YES 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.)

Start point of footpath/bridleway: :At the driveway entrance to Aldcliffe Lodge at its junction with Aldcliffe Road alongside the Lancaster canal. The path route is continuous up an incline past housing on the right and through further housing development and then dropping down the other side of the hill until exiting on to Aldcliffe Lane at a point some short distance from Ivy Cottage. Please see 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 1954 To 2011

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

I have not used the path since September 2011 until present day 2017 because I left Lancaster and moved to live near my grown-up children in Scotland

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						Almost daily in school holidays
On horseback						
By pedal cycle						Almost daily in school holidays
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 and recreation. In my childhood I was allowed by my parents to go out to play freely daily after school, at weekends and during school holidays going walks and on my bicycle. This path was a frequent chosen location as a cycling route as far as the disused railway line at the end of Aldcliffe Lane and for access to the Lune marsh land. I also used Footpaths number 41 and 49. Sometimes I used all 3 paths on the same day as part of repeated short excursions on my own and with other children with whom I played.

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

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

In childhood regularly and very frequently I walked and bicycled along the path on my own and with my friends in going out freely to play at various times of day and even into

early evening as I became older into my teenage years. I have a general memory that I came across other people using this path.

In adulthood less frequently I walked the path with friends and with my children when they were young. I have walked the path on my own making the occasional nostalgic visit to Aldcliffe in more recent years until I left Lancaster in 2011

5. 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, as I recall the path kept pretty much the same route after the housing was developed , ie it was same route up past Mr Waddell's house and then led down to an exit/ entry point to the path on the lane down to the marsh, a little distance above Ivy Cottage**

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']

I estimate it a quite wide road carriageway width wide enough for a car from the entrance junction at Aldcliffe Lodge up to the first house (Mr Waddell's) and it was narrower beyond that point

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]

I recall ithe surface was tarmac at the junction with Aldcliife Road and past the gatehouse Aldcliife Lodge up as far as the first house on the right when that was built that became Mr Waddells house. I think it was tarmac or hard surface beyond that house as I do recall cycling most of it. Often I went on bike rides where I could cycle parts of the route and then have to get off and wheel my bike, for example footpath 41 could be cycled part way but not completely.

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

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

..... **NO stiles as I recall. I just remember being able to go freely from the junction of Alcliffe Road at the Lodge entrance right through to the path exit on the lane above Ivy Cottage**

How long were they in place?

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

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

I recall there was a gate at the entrance of Aldcliffe Lodge but it was always wide open, never found it closed

.....

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

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
Yes

If yes, please provide any additional information about this

..... I have a general memory that there were other people using the path, children and adults

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**

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**
If yes, by whom and when?

At some time ,after Mr Waddell's house was built, I have some recollection that there was local talk that he or somebody else wished to make the path private but as far as I know this did not happen. I knew that people continued to walk and cycle along the driveway to reach Aldcliffe Lane and I continued to use it into my late teens for cycle rides and walks without ever being asked not to. I cannot remember who told me about this. it may have

been the family who lived at Aldcliffe Lodge as the girl who lived there was a friend of mine in my childhood and I used to go and play with her, ie us both going out and about freely around the paths in that vicinity and sometimes she would come over the canal bridge to Haverbreaks to play as my family home was on the Haverbreaks estate.. In adulthood on occasion I walked the Aldcliffe path pushing pram and later push chair when I had my own children and chose at times to take walks along that route.

I knew that Haverbreaks where my family home was had private roads very clearly signed w Private Road but nobody enforced that status in my childhood and into my adulthood. After 1997 t the Haverbreaks residents took action to install barriers to prevent vehicle traffic through the estate. However, up until I left Lancaster in 2011 - and as far as I know to present day - walkers and cyclists can still enter Haverbreaks estate roads without obstacle.

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**

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]

Using the path route from Aldcliife Lodge in order to reach the lane by Ivy Cottage kept me safe from cars and other traffic on Aldcliffe Road which is narrow and rises up the hill. As a quite young childhood , pretty much from age 8 when I learned to ride a bike my parents allowed me freely to explore the area on my bike, although I was taught to be aware of traffic and keep safe. So I used this Aldcliffe path and other paths to avoid traffic. For example I also used to cycle along the path alongside the canal and I cycled along the former railway line which I reached from Aldcliffe Lane beyond Ivy Cottage.

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, only if able to travel as I now live in Scotland.**



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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- 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 GILL AITKEN

Your: Home Telephone Number 01524 841525

Mobile Telephone Number

Email Address gill@gillaitkenart.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: Gill Aitken

Date: 20.9.17

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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

GILL AITKEN

Address

16 CROMWELL RD

LANCASTER

Postcode

LA1 5BD

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: 145 WILLOW LANE, LANCASTER LA1 5BU

1990 - 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) *except access for residents - cars.*

☐ 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 at East Lodge, opposite the canal, and follows a tree-lined avenue until it ~~ends at~~ reaches Aldcliffe Hall Drive. It then goes down Aldcliffe Hall Drive until it reaches 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 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 1990 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.

.....

.....

.....

Harrogate Road

Not to Scale

East Lodge

Start of
route

ballards

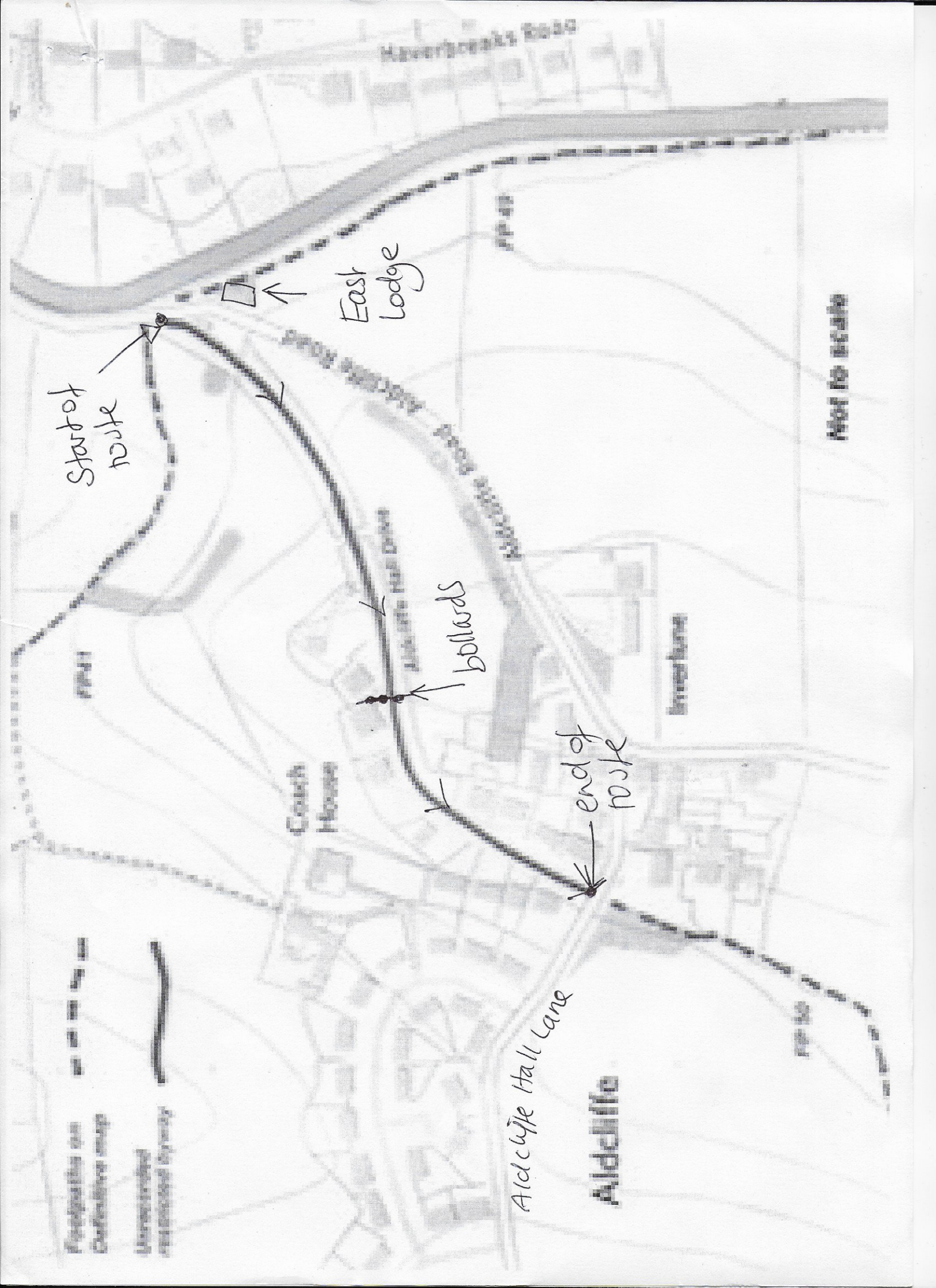
end of
route

Courth
House

Aldcliffe Hall Lane

Aldcliffe

Proposed on
Outline map
Unsettled
and Subject to
Change



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

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

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

Dog walks, walks to the Lune estuary,
cycle riders.
.....
.....

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']

..... About 2 metres (typical road-width)

.....

.....

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 end of track part of
Aldcliffe Hall Drive, before road part. I don't
know how long they've been there.

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

Lots of walkers, dog-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

☐ 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



Tim Dant <tim.dant@gmail.com>

Evidence form

Mollie Foxall <mollie.foxall@gmail.com>

22 September 2017 at 14:18

To: Tim Dant <tim.dant@gmail.com>



LCC User Evidence Statement.docx
412K

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 Mollie Foxall

Your: Home Telephone Number 01524 60290

Mobile Telephone Number 0757096583

Email Address ...mollie.foxall@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: 22 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 not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Mollie Foxall

Address Shorefield, Aldcliffe Hall Drive, Aldcliffe, Lancaster
.....Postcode LA1 5BG

Year of Birth 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]

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.)

At the Lodge, leaving the canal path walking up the metalled drive to 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 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 2009 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		Yes				
By car						

Other [please specify]						
------------------------	--	--	--	--	--	--

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

I live on the Drive so access the route every day walking to Lancaster and/or walking my dog

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
- residents below bollards use Drive for 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']

approx. 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]

metalled surface

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 gates

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

No barriers for users other than car users

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?

On deeds

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

Deeds

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

Old maps

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]

.....

.....

.....

.....

No

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