

**DECLARATION****Data Protection Legislation**

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

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

Please print your name here ROBERT JOHNSON

Your: Home Telephone Number 01704821045

Mobile Telephone Number 07954005214

Email Address landrjohnson145@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: R Johnson

Date: 9.1.2024

**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 ROBERT JOHNSON

Address 145, THE MARSHES LANE  
MERE BROW

TARLETON

PRESTON LANCs

Postcode PR4 6JS

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]

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.)

THE ROUTE BEGINS FROM FOOTPATH 22 WITH DITCH AND  
 HOLMES WOOD TO YOUR LEFT, FARM ON RIGHT. TRAVELING ~~WITH~~  
 ALONG SIDE OF DITCH YOU ARRIVE AT FOOTPATH 26 ON YOUR  
 RIGHT, ACCESS TO NUCKS WOOD. CONTINUING YOU PASS FOOTPATH ONLY  
 SIGN ON RIGHT (PAINTED OVER) THEN EVENTUALLY ARRIVING AT WIGGINS  
 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 1987 To 2024

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]<br>..... |       |        |         |                  |             |                         |

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

WALKING ROUTE AND ACCESS  
TO FISHERY

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 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 ~~WHEEL ALONG~~ FP22 CHANGING TO GRAVEL TRACK FOR REMAINDER.

.....

.....

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

VERY OLD SIGNS STATING FOOTPATH  
ONLY ERECTED BY LCC MORE THAN  
35 YEARS AGO

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, HORSE RIDERS CYCLES AND  
MOTORISED VEHICLES

### Land Ownership

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

☒ No

☐ Yes

If yes, provide details and dates

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

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

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

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

☐ No

☒ Yes

If yes, by whom and when?

MR JOHN THOMPSON MAY 2023

.....

.....

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

WOODLANDS CARAVAN PARK RESIDENT 2023

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

LCC SIGNS EACH END STATING FOOTPATH ONLY  
OLD MAP WHICH SHOWS FOOTPATHS LEAVING  
MERE LAKE

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 BELIEVE THE LAKE HAS BEEN WALKED FOR  
MORE THAN 20 YEARS AND IS THE LINK BETWEEN

FOOTPATH 26 AND 22. IT PROVIDES SAFE  
ACCESS FROM VILLAGE TO HOLMESWOOD PLAY AREA  
AND SHOULD BE USEABLE WITHOUT CONFLICT  
FOR EVERYBODY AS PATHWAY ON THE MARSHES LAWE  
IS NARROW AND NOT PRAM OR WHEELCHAIR FRIENDLY

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

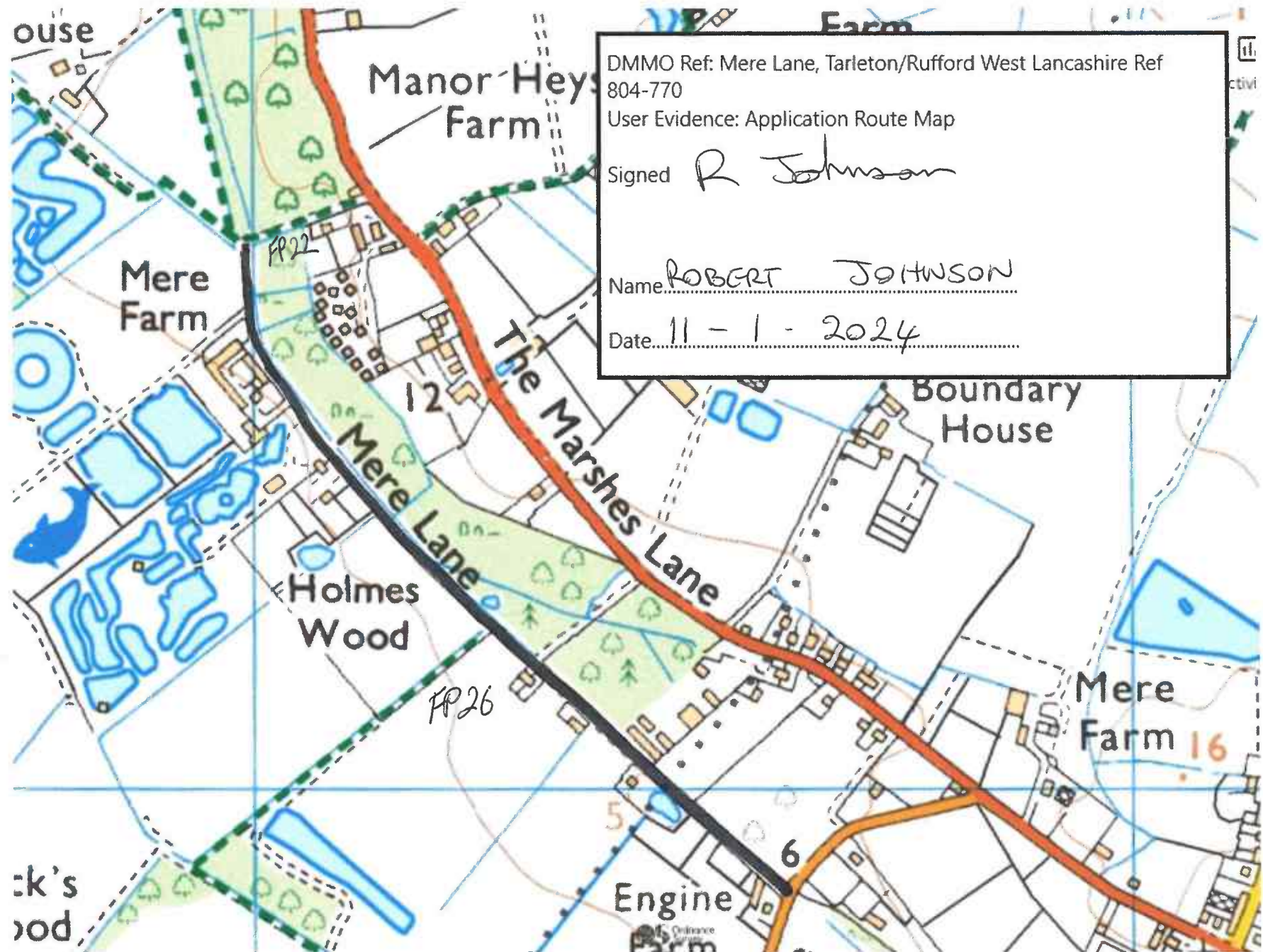
☐ No

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

☒ Yes

☐ No





DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref  
804-770

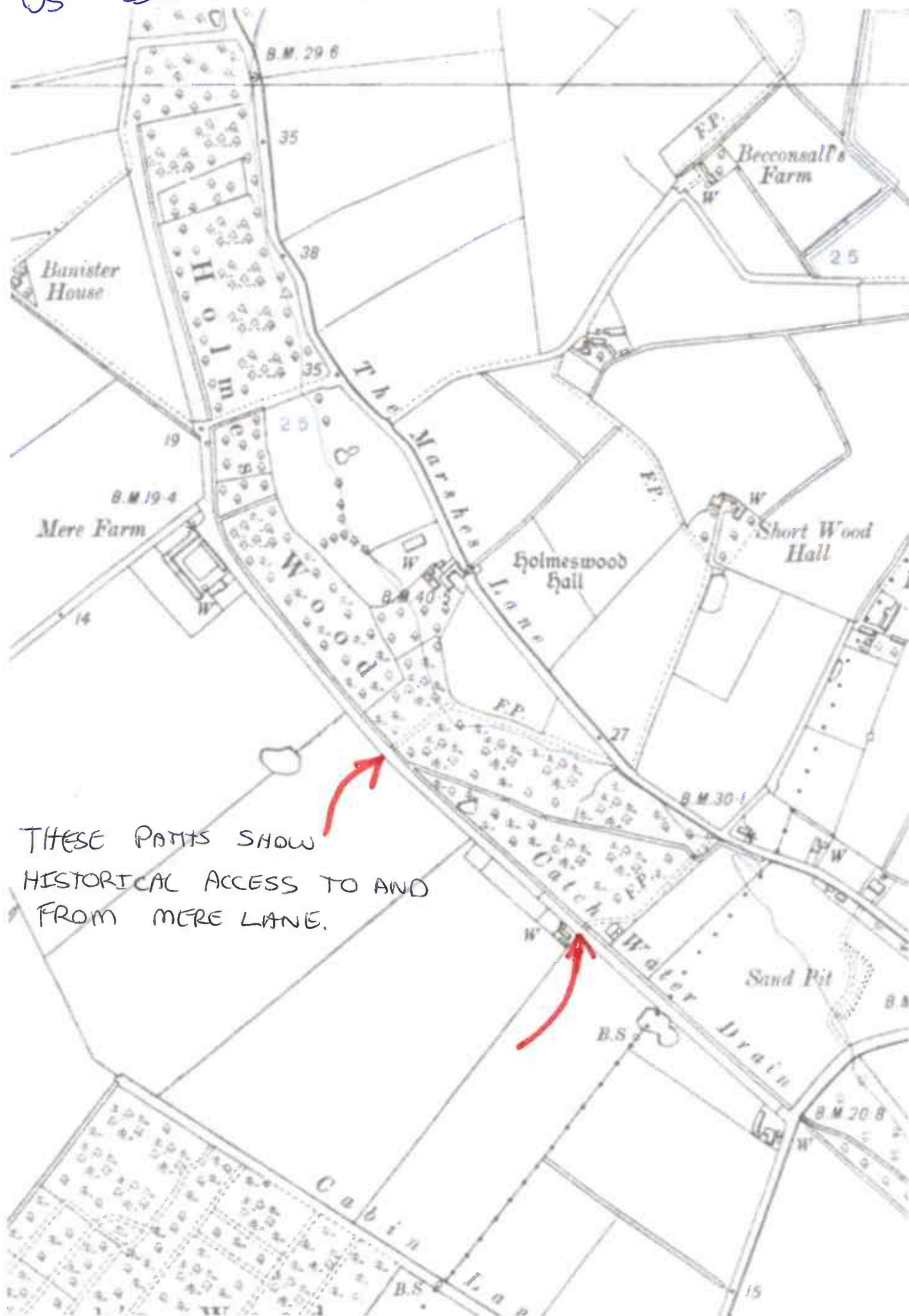
User Evidence: Application Route Map

Signed *R Johnson*

Name ROBERT JOHNSON

Date 11 - 1 - 2024

OS SIX INCH 1888-1913



THESE PATHS SHOW  
HISTORICAL ACCESS TO AND  
FROM MERE LANE.



## Public Right of Way User Evidence Statement

*Revised April 2018*

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

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

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

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

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

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

### Confidentiality – Please Read Carefully

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

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

## DECLARATION

### Data Protection Legislation

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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 LYN JOHNSON

Your: Home Telephone Number 01704 821045

Mobile Telephone Number .....

Email Address landrjohnson145@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: Lyn Johnson

Date: 28-1-2024

**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 LYN JOHNSON

Address 145, THE MARSHES LANE  
MERE BROW  
TARLETON PRESTON  
LANCS Postcode PR4 6JS

Year of Birth 1954

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.)

STARTING FROM FOOTPATH 22 SOUTH EAST ALONG MERE  
LANE. PASSING MERE FARM, TROUT FISHERY THEN SMALL HOLDING  
ON RIGHT THEN ARRIVING AT ENTRANCE TO FOOTPATH 26.  
CONTINUING WITH DITCH AND WOODLAND ON LEFT TO WIGGINN  
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 .....1987..... To .....2024.....

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]<br>..... |       |        |         |                  |             |                         |

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

WALKING CHILDREN AND VISITING FRIENDS  
.....  
.....

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)

WALKERS AND CARS

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

7. Approximately how wide is the application route?

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

3 METRES

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

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

TARMAC AND GRAVEL



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

.....

.....

.....

## 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

NO

If yes, please give details including when this happened

~~XXXXXXXXXX~~

.....

.....

.....

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]

WHEN THE CHILDREN WERE SMALL I WALKED  
TO PLAYGROUND AND NOW I USE IT

TO VISIT FRIENDS, IT IS A SAFER  
ALTERNATIVE TO THE MARSHES LAWE WHICH  
IS BOISEY AND PATHWAY IS NARROW

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?

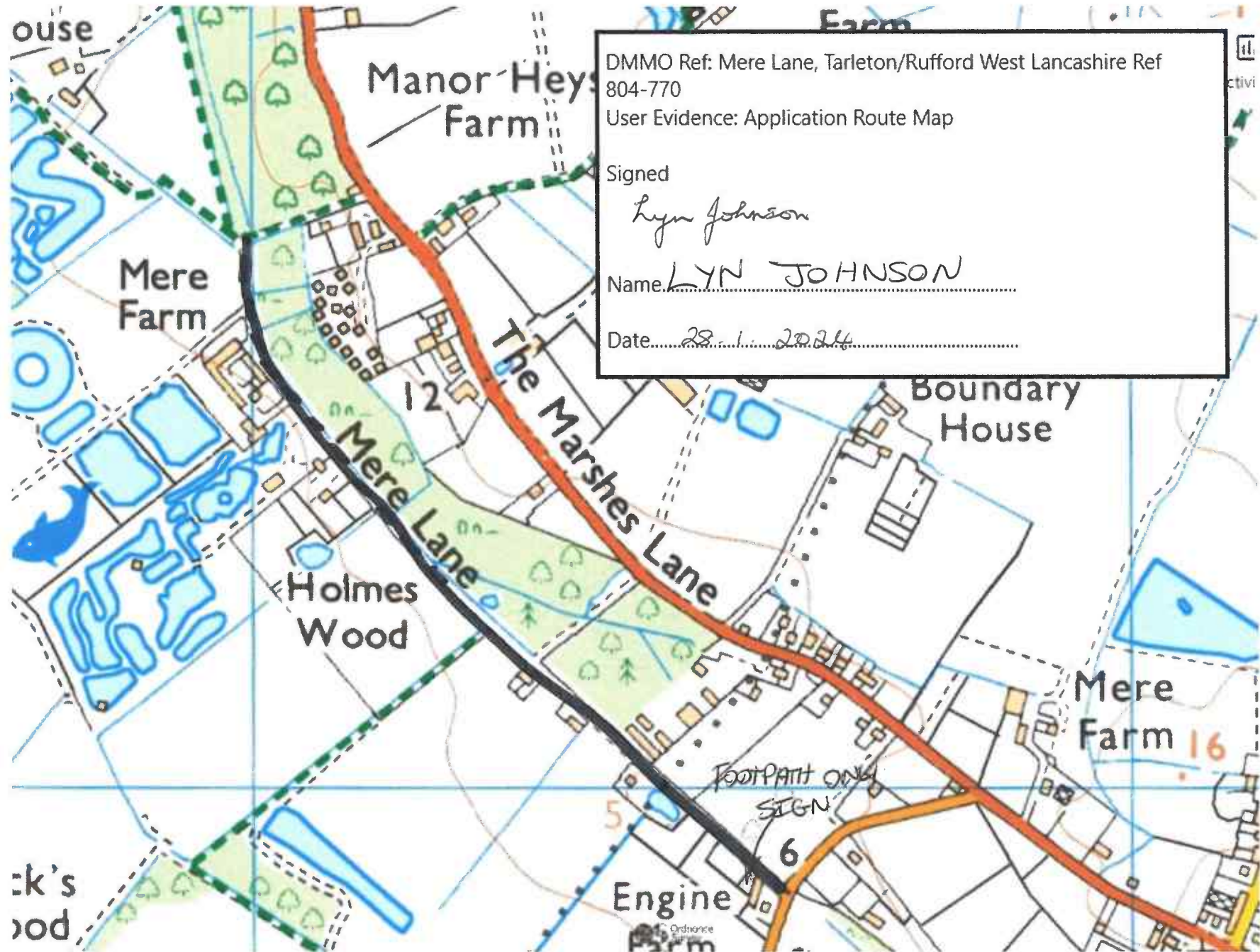
☒ Yes

☐ No

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

☒ Yes

☐ No



DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref  
804-770

User Evidence: Application Route Map

Signed

*Lyn Johnson*

Name LYN JOHNSON

Date 28.1.2024



## Public Right of Way User Evidence Statement

*Revised April 2018*

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Please print your name here ..... GRAHAM CAUNCE .....

Your: Home Telephone Number ..... 01704 822198 .....

Mobile Telephone Number ..... 07764 375434 .....

Email Address ..... gcauncetravel@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: ..... GT Caunce .....

Date: ..... 26, 1, 24 .....

**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

GRAHAM CAUNCE.

Address

2 SANDY LANE, HOLMESWOOD, NR K. JRD,  
ORMSKIRK, LANC'S.

Postcode

L40 1UE

Year of Birth

1965

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

### 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)

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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.)

Starting from the junction at Wiggors Ln.  
past the gamekeepers cottage on the left.  
down the gravel lane passing a public footpath  
to Nucks wood. then continuing to junction of  
footpath No 22.

## 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 1982 To 2023.

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                         |       |        |         |                  | <input checked="" type="checkbox"/> |                         |
| On horseback                    |       |        |         |                  |                                     |                         |
| By pedal cycle                  |       |        |         |                  |                                     |                         |
| By car                          |       |        |         |                  |                                     |                         |
| Other [please specify]<br>..... |       |        |         |                  |                                     |                         |

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

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

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/>            |
| <input type="checkbox"/>            |
| <input type="checkbox"/>            |

.....

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

☒ YES

☐ NO

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

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

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

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

7. Approximately how wide is the application route?

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

3/4 m wide.

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

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 + 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

A sign saying NO THROUGH RD. + Footpath only sign.

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.

### 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

2023

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]

Always thought it was a public footpath and I think it should be made into a public footpath for<sup>10</sup> the community.

.....

.....

.....

.....

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?

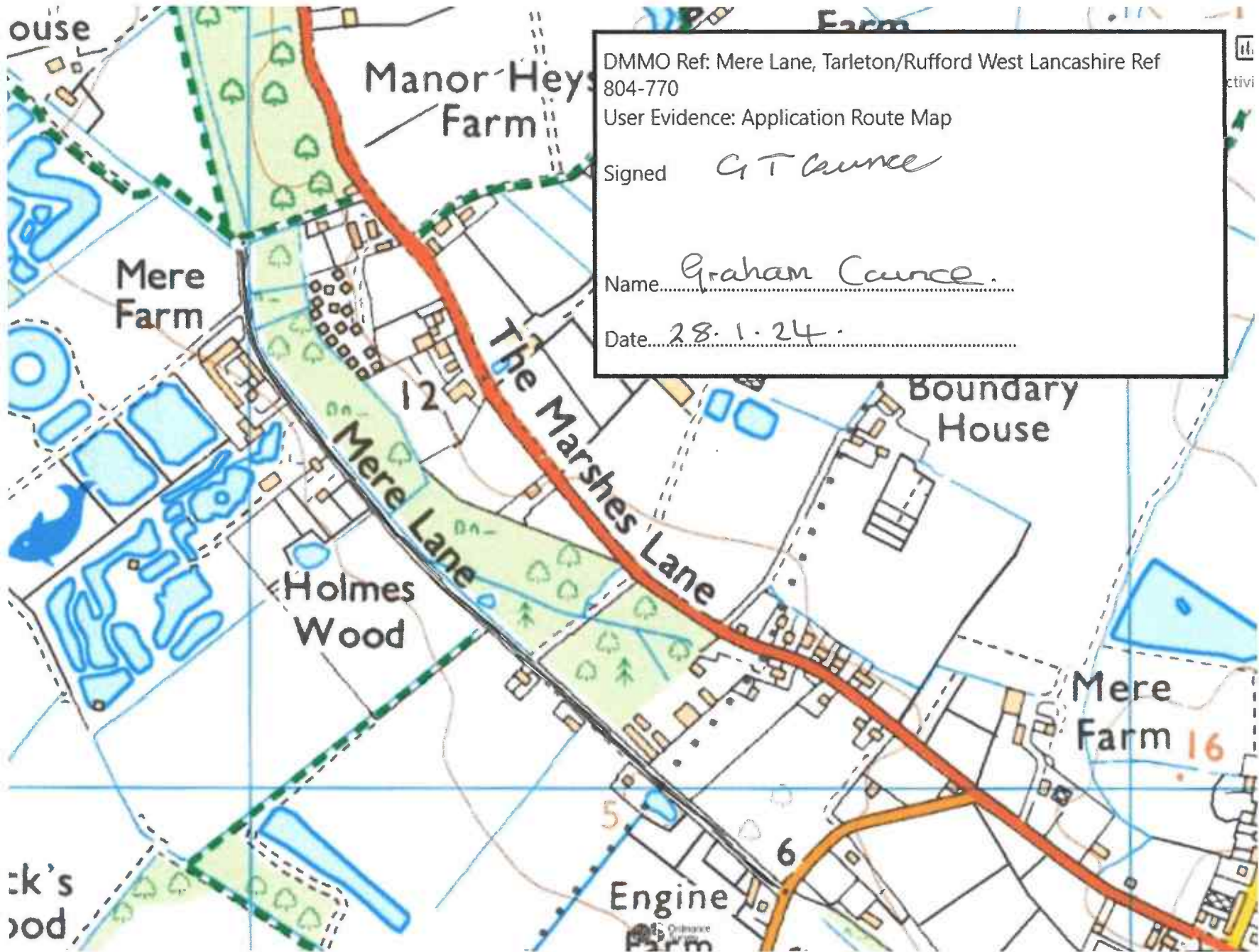
☒ Yes

☐ 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 2018*

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

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

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

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

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

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

### Confidentiality – Please Read Carefully

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

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



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

Please print your name here HOWARD FRASER

Your: Home Telephone Number 01704 828350.

Mobile Telephone Number 07803- 593900

**Email Address** .....

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

**Your Signature:** 

Date: 26-1-24

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.

2

## PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

### ABOUT YOU

Name

Mr H FRASER

Address

GREENACRE, HOLMESWOOD ROAD  
RUFFORD, NR ORMSKIRK

LANCASHIRE

Postcode

L40 1TX

Year of Birth

1955

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

LIVED IN MORTON, From 1984 to 2016.

### 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.)

OVER THE YEARS I HAVE USED THIS ROUTE FROM BOTH DIRECTIONS, STARTING FROM THE PUBLIC FOOTPATH (22) THEN TRAVEL THE FULL LENGTH OF MORECANE TO THE JUNCTION OF WIGGIN'S 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 1966 (Holmeswood School) 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?

1984 TO 2016 DIDN'T NEED TO USE IT AS I LIVED IN TARTLTON.



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]<br>..... |       |        |         |                  |             |                         |

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

PLEASURE, USUALLY WALKING OR CYCLING  
BACK FROM MERE BROW,

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']

I would say about 10 Foot

.....

.....

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

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

mostly GRAVEL

.....

.....

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

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

..... NOT TO MY KNOWLEDGE .....

.....

.....

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

.....

.....

.....

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

... LCC FOOTPATH ONLY SIGN ...  
.....  
.....

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

... MAINLY PEOPLE, DOG WALKERS ...  
... AND OCCASIONALLY RAMBLERS IN ...  
... GROUPS OF 2 OR 4 ...

### 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]

HAVING LIVED IN HOLMBROOK AREA SINCE 1956 THIS ROUTE HAS BEEN  
USED BY LOCAL PEOPLE AS AN ALTERNATIVE ROUTE TO THE

..... MAIN ROAD WHEN WALKING AND CYCLING WITH  
..... NO PROBLEMS AND SHOULD CONTINUE AS A  
..... BRIDLEWAY .....

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?

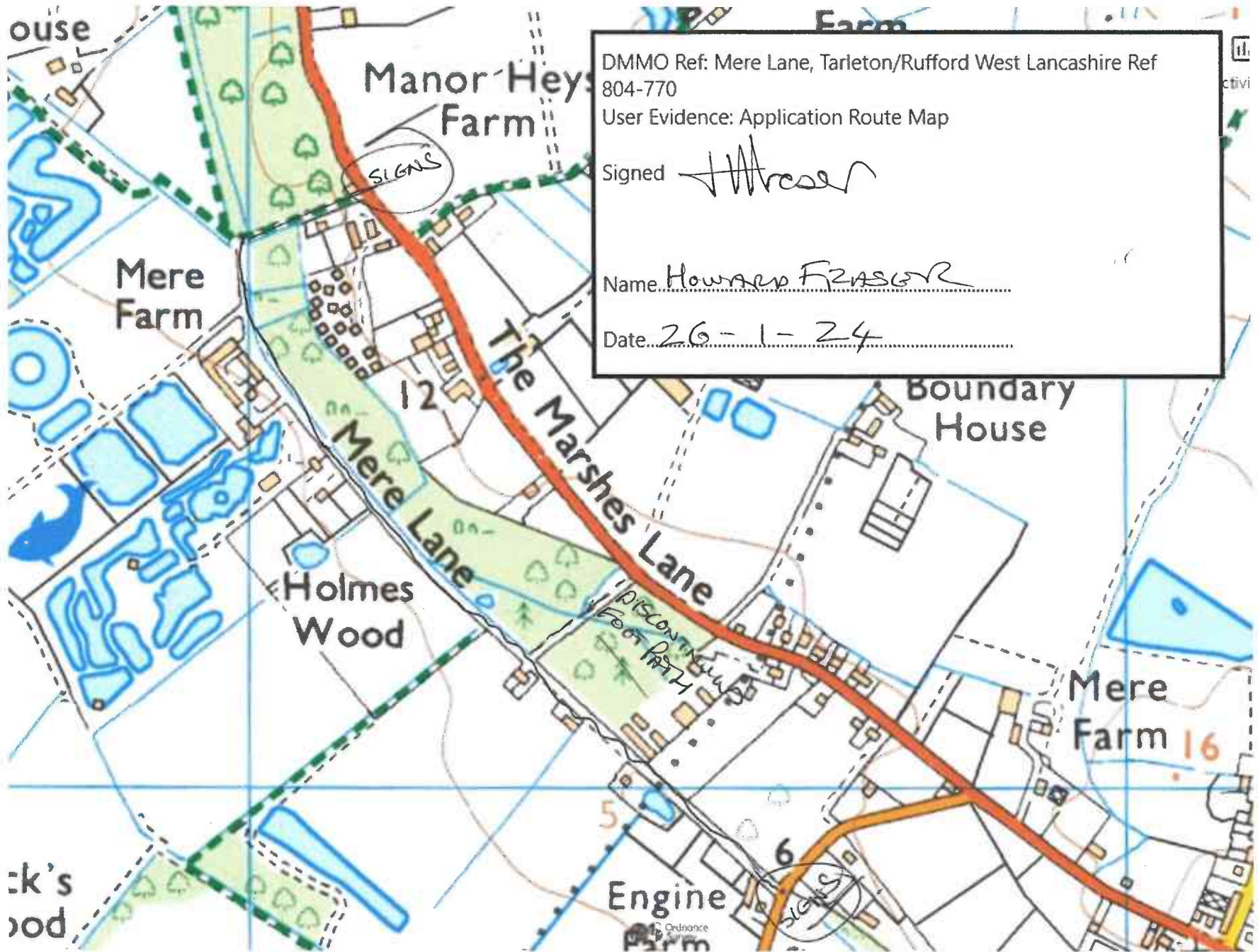
☒ Yes

☐ No

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

☒ Yes

☐ No



DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref  
804-770

User Evidence: Application Route Map

Signed *[Signature]*

Name *Howard FRASER*

Date *26-1-24*



## Public Right of Way User Evidence Statement

*Revised April 2018*

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

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

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

### **Confidentiality – Please Read Carefully**

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- 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.



## Public Right of Way User Evidence Statement

*Revised April 2018*

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

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

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

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

### **Confidentiality – Please Read Carefully**

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

## DECLARATION

### Data Protection Legislation

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

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

Please print your name here ..... JOY FORSHAW .....

Your: Home Telephone Number ..... 01784 821364 .....

Mobile Telephone Number ..... 07881 683003 .....

Email Address ..... runnercdt@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: Joy Forshaw

Date: 27/1/24

**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 JOY FORSHAW

Address 1 RUNNER COTTAGE, HOLMESWOOD ROAD  
HOLMESWOOD  
OLDSKIRK  
LANCS Postcode L40 1UA

Year of Birth 1954

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]

~~BURSCOUGH 1982 - 1986~~  
ENGINE FARM, HOLMESWOOD 1964 - 1982

### 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 WIGGINS LANE - ALONG MEKE LANE -  
TO MARSHES 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 1964 To 2023

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

1982 - 1986

LIVED OUT OF AREA

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

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

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']

.....

SINGE WIDTH ROAD

.....

8. What type of surface does the application route have? (for example grass, gravel, earth)  
[For varying surfaces, please describe with reference to your map]

.....

TARMAc

.....

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

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

..... NO .....

.....

.....

How long were they in place?

..... N/A .....

.....

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

..... No .....

.....

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

..... N/A .....

.....

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

PRIVATE ROAD

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

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?

.....

.....

.....

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?

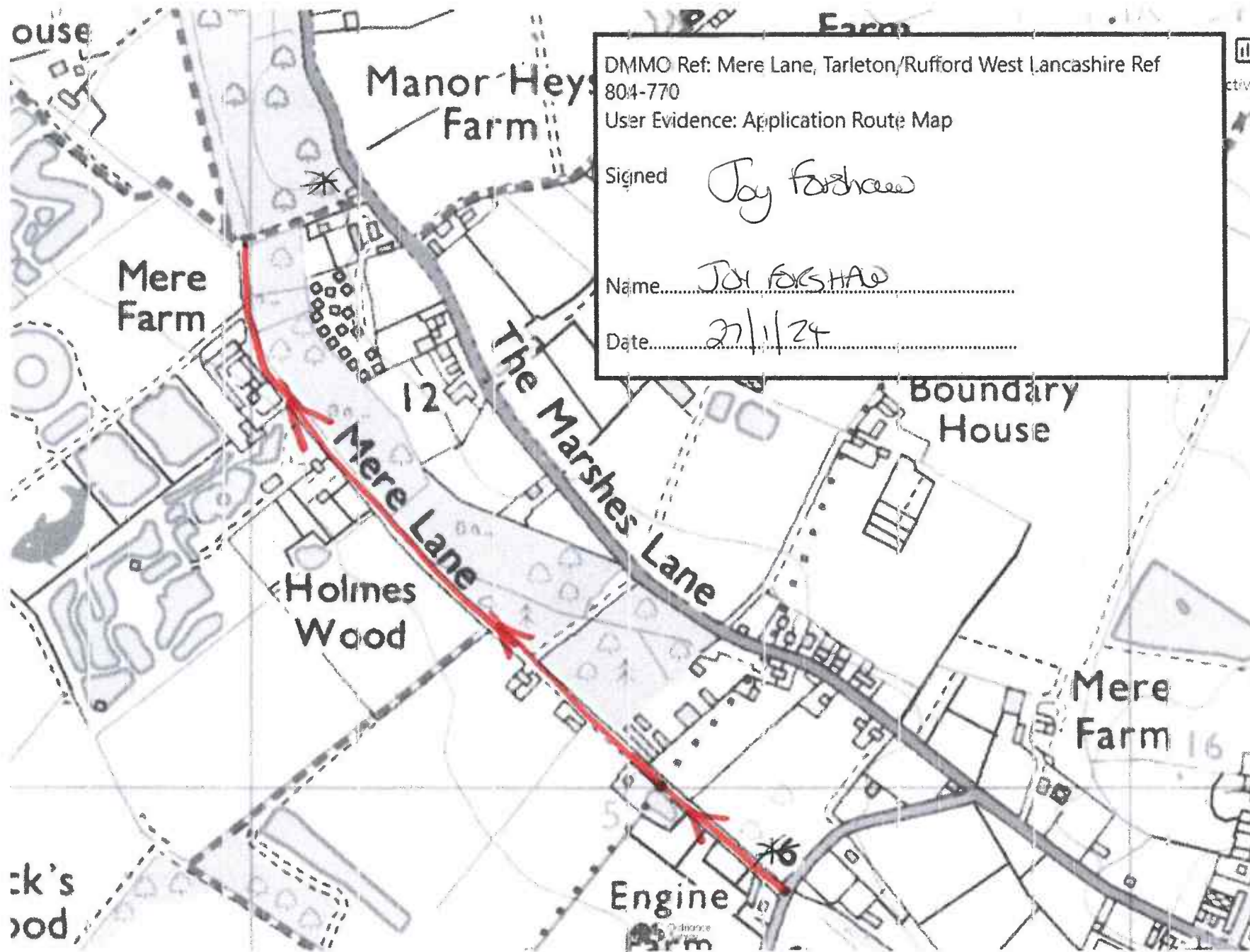
☐ Yes

☒ No

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

☐ Yes

☒ No



DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref 804-770

User Evidence: Application Route Map

Signed

Joy Forshaw

Name.....

JOY FORSHAW

Date.....

27/1/24



## Public Right of Way User Evidence Statement

*Revised April 2018*

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

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

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

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

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

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

### Confidentiality – Please Read Carefully

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

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

## DECLARATION

### Data Protection Legislation

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

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

Please print your name here ..... MAUREEN FRASER .....

Your: Home Telephone Number ..... 01704 628350 .....

Mobile Telephone Number ..... 01803 593901 .....

Email Address ..... / .....

### Statement of Truth

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

Your Signature: M. Fraser

Date: 27.1.24

**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

MAUREEN FRASER

Address

GREENACRE

HOLMESWOOD ROAD,

RUFFORD

ORMSKIRK

Postcode L40 1TX

Year of Birth

29-5-56

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]

Lived in Tarleton for 60 years

### ABOUT THE APPLICATION ROUTE

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

☐ As a footpath (public rights on foot only)

☒ As a bridleway (public rights on foot and on horseback or bicycle)

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

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

2. Describe the application route.

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

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



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

The route starts at the junction of Mere Lane & Wiggins Lane and follows along Mere Lane, passing on your left the foot path leading to Nucks Wood and continues to the public footpath connected to The Marshes 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 .....1970..... To .....2000.....  
on horse back

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

.....From 2000 to present day..... on horse back,  
but occasionally on bicycle for pleasure

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]<br>..... |       |        |         |                  |             |                         |

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

.....Pleasure usually cycling or on.....  
 .....horse back.....  
 .....

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 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]

..... gravel .....

.....

.....

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?

.....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]

.....NA.....  
.....  
.....

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 occasional cyclist but mainly dog walkers.....

.....

.....

## Land Ownership

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

☒ No

☐ Yes

If yes, provide details and dates

.....

.....

.....

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

- ☒ No  
☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

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

- ☒ No  
☐ Yes

If yes, by whom and when?

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

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

- ☒ No  
☐ Yes

If yes, please give details including when this happened

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

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

- ☐ No  
☒ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

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

.....

.....

.....

### Other Information

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

☒ No

☐ Yes

If yes – please provide details

I believe this route should be kept as at least a public footpath but preferably as a bridle way also

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

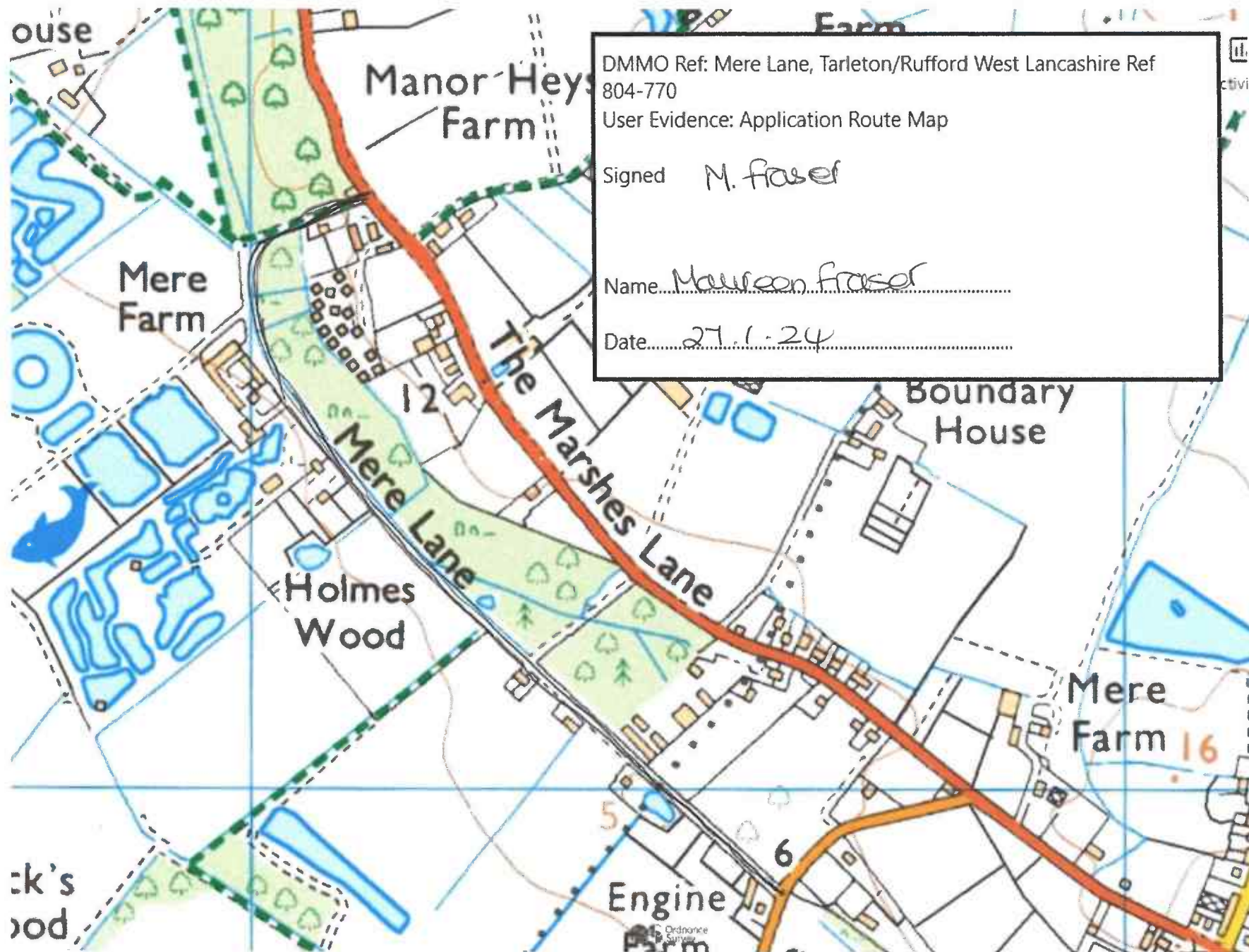
☐ No

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 2018*

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

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

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

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

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

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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

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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 STUART DAVID BENNETT

Your: Home Telephone Number 01704 821 497

Mobile Telephone Number 07920 098641

Email Address bennestva@aol.com

### Statement of Truth

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

Your Signature: SD Bennett

Date: 14/01/24

**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

Stuart Bennett

Address

Querido, Holmeswood Road,  
Rubbud

Postcode

L40 1UF

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]

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

Occasionally along.)

(Point A)

I enter Mere Lane from Wiggins lane and walk the full length onto ~~Holmeswood Road~~ The Marshes Lane (point C). There are no physical barriers. I walk from point A → point B on a near daily basis.

## 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 Current

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]

From point A → B

|                                 | Daily         | Weekly | Monthly | Every few months | Once a year | Other (please describe) |
|---------------------------------|---------------|--------|---------|------------------|-------------|-------------------------|
| On foot                         | From A-B<br>✓ |        |         | From A-C<br>✓    |             |                         |
| On horseback                    |               |        |         |                  |             |                         |
| By pedal cycle                  |               |        |         |                  |             |                         |
| By car                          |               |        |         |                  |             |                         |
| Other [please specify]<br>..... |               |        |         |                  |             |                         |

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

Pleasure (dog 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']

It is a road (damaged in places) approx 12ft wide.  
Tarmac at the Mere lane end but gradually  
turns into loose gravel at the Wiggins lane  
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]

↑ see above.

.....

.....

.....

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]

..... no .....

.....

.....

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

☐ No n/a

☐ 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

\* See q. 14 and attach photo

\* As indicated on the map there is a sign that says 'Private - No Access only' at point C

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

Yes, many people walk their dogs from A - B. I occasionally see people who have or are going to walk towards point C.

### 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?

One of the property owners on Mese lane stated it was not a public right of way. I continued the walk.....

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

n/a  
.....  
.....  
.....

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

n/a

.....

.....

#### 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

I have attached a picture of a sign at <sup>point A</sup> ~~the end~~. I believe the part that is blacked out used to say 'Footpath only'. I have very vague recollections of there being a similar sign at the other end but this has now gone.

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]

A public Footpath joins the route at point B. This essentially would become a dead end if

More lane was not intended to be a  
Foot path.

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?

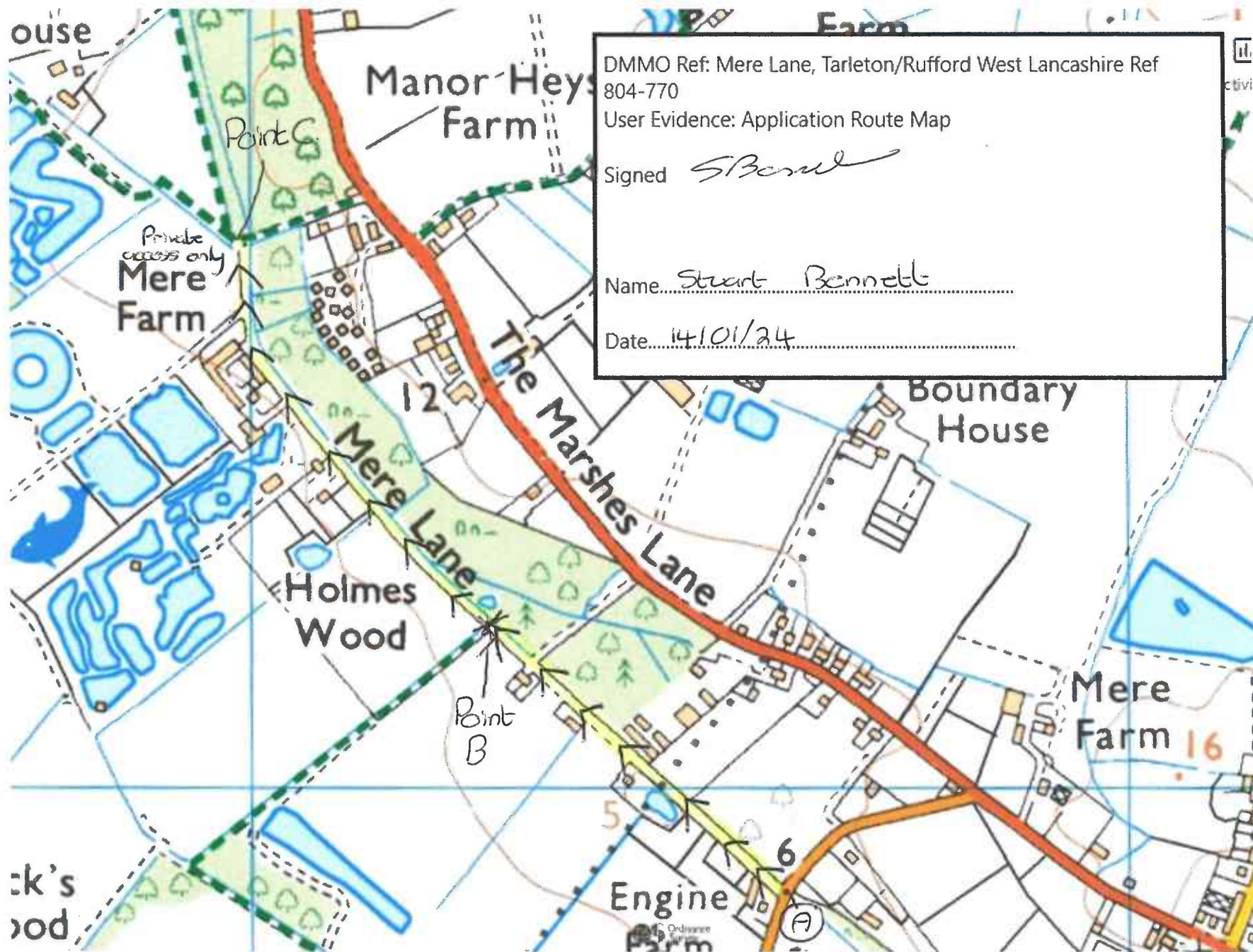
☒ Yes

☐ No

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

☒ Yes

☐ No



DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref 804-770

User Evidence: Application Route Map

Signed *SBennett*

Name *Stuart Bennett*

Date *14/01/24*



LANCASHIRE COUNTY COUNCIL

PRIVATE ROAD

NO THROUGH TRAFFIC





## Public Right of Way User Evidence Statement

*Revised April 2018*

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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.

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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 Legislation

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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 DEREK FORSHAW

Your: Home Telephone Number 01704 821 354

Mobile Telephone Number 07747 187780

Email Address runnercottage@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: Derek Forshaw

Date: 27-1-24

**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 DEREK FORDHAM

Address RUNNER COTTAGE

HOLMESWOOD ROAD

HOLMESWOOD, RUFFORD

ORMSKIRK Postcode L40 1UA

Year of Birth 17-12-1958

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.)

FROM WIGGINS LANE TO MARDHES LANE

ALL THE WAY DOWN MERE 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 1986 To PRESENT DAY

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

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

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

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']

USE ROAD ONLY ON FOOT

.....

.....

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]

ROAD - TARMAC ETC

.....

.....

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

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

N/A

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

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

### 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?

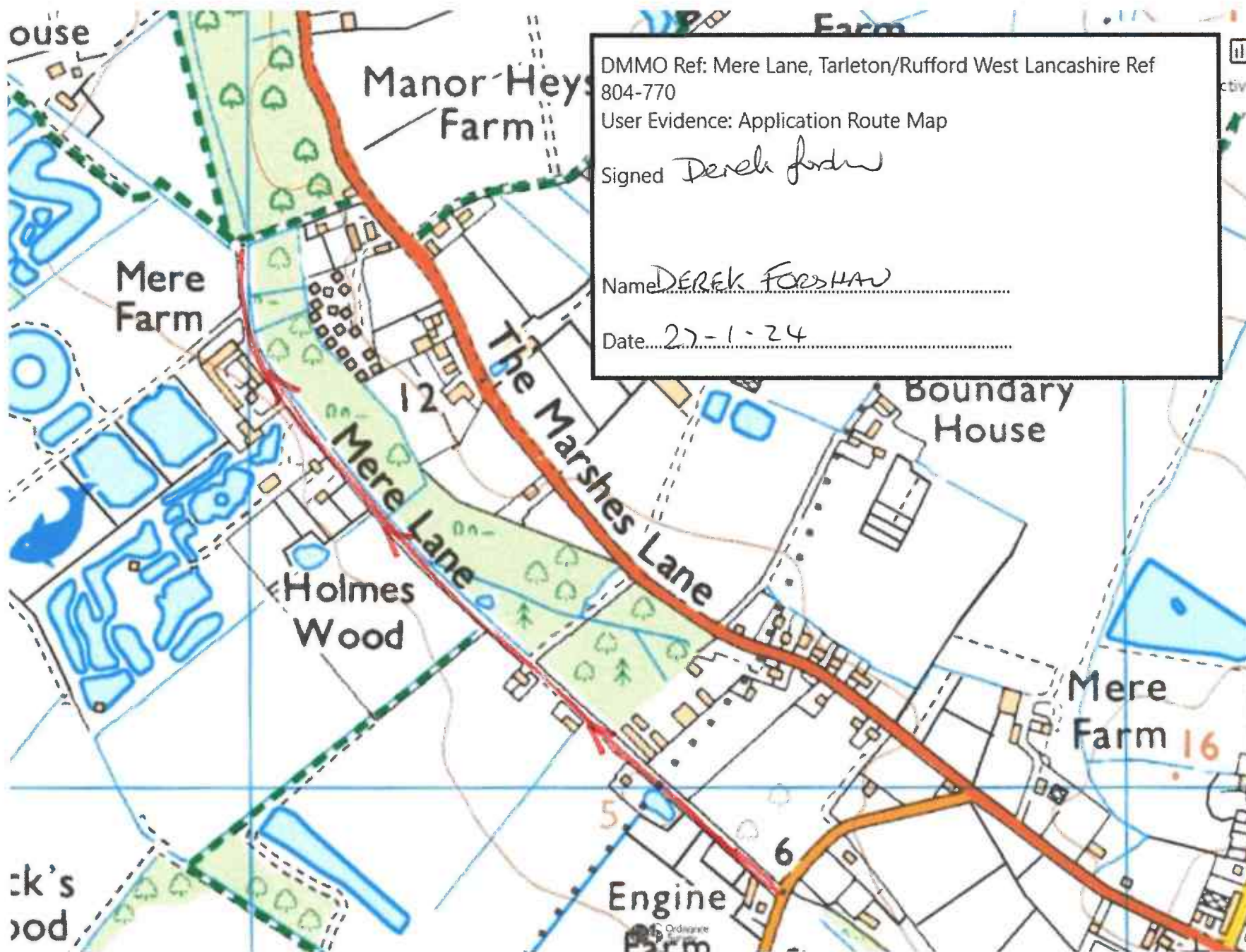
☐ Yes

☒ No

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

☐ Yes

☒ No



DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref 804-770

User Evidence: Application Route Map

Signed *Derek Fordham*

Name *DEREK FORDHAM*

Date *27-1-24*

## Public Right of Way User Evidence Statement

*Revised April 2018*

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

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

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

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

**This statement should be completed by one person only and should relate to only one route.**

If you need more space please continue on a separate sheet which will need to be attached to this statement.

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

### **Confidentiality – Please Read Carefully**

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

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

## DECLARATION

### Data Protection Legislation

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

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

Please print your name here .....SARA FLEETWOOD.....

Your: Home Telephone Number .....01704 821655.....

Mobile Telephone Number .....07948 301299.....

Email Address .....sarafleetwood24@yahoo.com.....

### Statement of Truth

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

Your Signature: S C Fleetwood

Date: 17/1/2023

**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 SARA FLEETWOOD

Address 135 THE MARSHES LANE

MERE BROW

PRESTON, LANCs

Postcode PR4 6JS

Year of Birth 1960

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

.....

.....

### ABOUT THE APPLICATION ROUTE

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

☒ As a footpath (public rights on foot only)

☐ As a bridleway (public rights on foot and on horseback or bicycle)

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

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

2. Describe the application route.

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

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

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

.....THE ROUTE IS THE ~~ROAD~~ ENTIRE LENGTH OF MERE LANE,.....  
 ...FROM THE MARSHES LANE TO WIGGINS LANE, TO.....  
 ...ALLOW ACCESS TO THE FOOTPATHS WHICH BEGIN | END.....  
 ..ON MERE 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 .....1997..... 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, I HAVE ALWAYS USED THIS ROUTE.....  
 .....  
 .....

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]<br>..... |       |        |         |                  |             |                         |

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

FOR PLEASURE  
.....  
.....  
.....

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

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

|   |
|---|
| ✓ |
| ✓ |
|   |
|   |

.....

6. Were they using exactly the same route as you? ☒ YES ~~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']

IT IS A ~~WIDE~~ SINGLE TRACK LANE

.....

.....

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 | GRAVEL

.....

.....

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

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

..No.....  
.....  
.....

How long were they in place?

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

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

..No.....  
.....  
.....

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

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

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

☒ No

☐ Yes

If yes, please give details

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

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

☐ No

☒ Yes

☐ Don't know

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

..THERE IS A SIGN AT EACH END OF MERE LANE ~~WHICH~~ (ERECTED BY THE COUNCIL) WHICH SAYS "ACCESS FOR FOOTPATH". THIS HAS NOW BEEN PAINTED OUT SO IT CANNOT BE SEEN. ~~IN~~ MORE RECENTLY A SIGN HAS BEEN ERECTED AT THE END AT MERE FARM STATING 'PRIVATE ROAD' ~~WHICH~~

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 HAVE SEEN MANY OTHER WALKERS.....  
..IT IS USED BY LOCAL HORSE RIDERS ALSO, NOTABLY THE  
..LIVERIES AT HOLMEWOOD HALL,.....

## 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? AFTER A CONFRONTATION WITH JOHN THOMPSON (MERE FARM) ABOUT USING THE ROUTE HE SAID THAT I "HAD HIS PERMISSION TO USE IT" I RESPONDED THAT I DID NOT NEED HIS PERMISSION, AND WOULD USE IT AS I WISHED

b. When? ...IN THE LAST 4 YEARS (HE OCCASIONALLY CHALLENGED ME IF HE DOESN'T RECOGNISE ME, AS DOES HIS WIFE!)

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?

JOHN THOMPSON + GLENNIS THOMPSON, MERE FARM...

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

JOHN THOMPSON HAS STOPPED ME ON NUMEROUS OCCASIONS AND TOLD ME THAT IT IS A PRIVATE ROAD WITH NO PUBLIC RIGHT OF WAY TO ACCESS THE FOOT PATH TO NOOKS WOOD. OVER THE PAST 4 YEARS I HAVE TOLD HIM THAT I AM GOING TO USE IT ANYWAY.

GLENNIS THOMPSON HAS STOPPED ME AND INFORMED ME THAT I NEED JOHN THOMPSON'S PERMISSION TO USE THE ROAD. I TOLD HER THAT I DON'T NEED ANYONE'S PERMISSION + CONTINUED MY WALK

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

.....NUMEROUS NEIGHBOURS & LOCAL RESIDENTS HAVE  
.....COMPLAINED THAT JOHN THOMPSON HAS TRIED TO  
.....STOP THEM USING THE ROUTE.....

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 CANNOT DO NOT HAVE ACCESS TO MERE LANE  
THEN YOU CANNOT ACCESS THE FOOTPATHS OFF IT.....

THE SIGNS AT EITHER END OF MERE LANE CLEARLY  
STATE "ACCESS TO FOOTPATHS" ~~THE FOOTPATHS~~

THESE SIGNS HAVE BEEN THERE SINCE I FIRST STARTED USING THE  
PATHS IN 1997. THE FACT THAT THIS INFORMATION HAS NOW  
BEEN OBSCURED DOES NOT MEAN THAT THE RIGHT OF WAY  
NO LONGER EXISTS!

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?

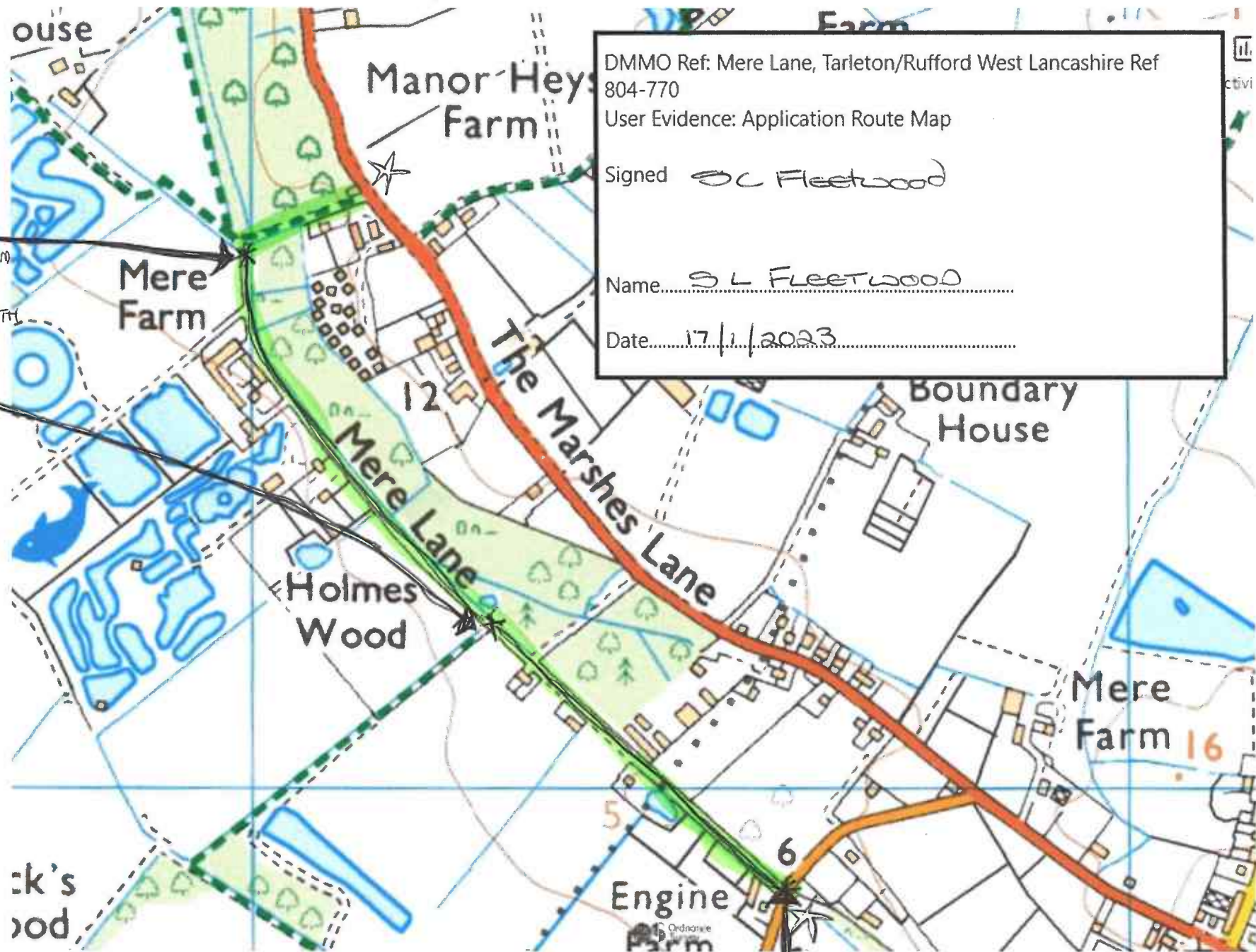
☒ Yes

☐ No



THERE ARE SIGNS IN SITU (ERECTED BY THE COUNCIL?) ~~THAT SAY~~ AT EITHER/BOTH ENDS OF MERE LANE THAT STATE "ACCESS FOR FOOTPATHS." THIS INFORMATION HAS BEEN PAINTED OUT (BUT IS STILL THERE!) SO THAT ~~THE~~ IT CANNOT BE SEEN BY THE PUBLIC

Access  
REQUIRED FROM  
HERE  
TO USE  
THE FOOTPATH  
THAT RUNS  
TO "NUCKS  
WOOD"



DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref 804-770  
User Evidence: Application Route Map  
Signed S L Fleetwood  
Name.....S L FLEETWOOD.....  
Date.....17/1/2023.....

Access REQUIRED TO USE  
THE FOOTPATH THAT RUNS TO  
"NUCKS WOOD"



## Public Right of Way User Evidence Statement

*Revised April 2018*

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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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- 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

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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 ROBERT FLEETWOOD

Your: Home Telephone Number 01704 821655

Mobile Telephone Number 07547587141

Email Address bd@fleetwood@rocketmail.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: R. Fleetwood

Date: 17/1/24

**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 ROBERT FLEETWOOD

Address 135 THE MARSHES LANE  
MERE BROW  
TARLETON

Postcode PR4 6JS

Year of Birth 1967

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

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.)

The route runs the length of Mere Lane from The Marshes lane to Wiggins lane for access to the footpath.

## 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 1997 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 I have always used this route.

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]<br>..... |       |        |         |                  |             |                         |

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']

Single track lane approx 10ft wide  
.....  
.....

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/gravel  
.....  
.....

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

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

No

How long were they in place?

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

No

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

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

☒ No

☐ Yes

If yes, please give details

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

☐ No

☒ Yes

☐ Don't know

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

Signage at either end of Mere lane which says "Access for footpath" this has now been painted out. A sign has now been erected stating "Private Road".

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

Dog walkers – pleasure walkers and local horse riders.

## Land Ownership

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

☒ No

☐ Yes

If yes, provide details and dates

.....

.....

.....

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

☒ No

☐ Yes

If yes,

a. From whom? The landowner has implied that he allows me to use the route because "I have his permission" to do so. However, I have never sought his permission, nor

b. When? ever would.

Approx 8 yrs ago

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?

John Thompson + Glennis Thompson  
Mere Farm

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

John Thompson has stopped me on a number of occasions to tell it is a private road with no access to the public footpath.

Glennis Thompson has stopped me and informed me that I need John's permission to use the road.

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

Numerous neighbours and local residents  
have complained over the past 6 to 8  
years

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 do not have access down More Lane  
then you can not access the footpaths off it.

There are signposts at both ends of Mere  
lane that clearly state "Access to footpaths"  
these have now been painted out.

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



Access from here to use footpath to Nucks Wood

DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref 804-770  
User Evidence: Application Route Map  
Signed   
Name: Robert Fleetwood.  
Date: 17/1/24

Access from here to use footpath at Nucks Wood

**DECLARATION****Data Protection Legislation**

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

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

Please print your name here ..... ALAN CRICH .....

Your: Home Telephone Number ..... 01704 821152 .....

Mobile Telephone Number ..... — .....

Email Address ..... ajcrich@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: 

Date: 23/1/24

**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

ARAN CLICH

Address

ROSENEATH

SMITHY WANE

HOLMEWOOD

LANES

Postcode L40 1UH

Year of Birth

1944

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 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.)

PLEASE SEE THE ATTACHED MAP  
 THE FIRST PART OF MORE LANE FROM THE MARKET LANE <sup>①</sup>  
 END IS OK, AS IS THE OTHER END FROM WIGGINS LANE <sup>②</sup>  
 IT IS THE SECTION NEAR MORE FARM THAT IS THE ISSUE  
 (HIGHLIGHTED ON MAP)

## MAP OF THE APPLICATION ROUTE

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

## YOUR USE OF THE APPLICATION ROUTE

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

From 2003 To

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

WE ALWAYS USED TO USE MORE LANE, BUT STOPPED  
 WHEN WE WERE TOLD OTHER USERS HAD ENCOUNTERED  
 PROBLEMS WITH ONE PARTICULAR RESIDENT OBJECTING

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]<br>..... |       |        |         |                  |             |                         |

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

PLEASURE - TO WALK TO DAUGHTER'S HOUSE - MANY SECTIONS OF THE FENCIBLES ALONG HOLMESWOOD ROAD ARE ALMOST UNUSABLE, BEING OVERGROWN - WALKING ON THE ROAD IS 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)



WE BEEN TOLD THAT OTHER WALKER HAVE  
TURNED ROUND/COME BACK TO AVOID CONFRONTATION  
HAVING BEEN APPROACHED BY THE RESIDENT

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 3 METRES - WIDE ENOUGH FOR RESIDENTS  
VEHICLES / TRACTORS AND 1 AGRICULTURAL VEHICLES  
& REFUSE COLLECTION

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]

UNEVEN ROAD SURFACE AND WOOD-STONE



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

i'm sure there used to be public footpath signs at each end, but i'm not sure what's there now

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

just other walkers out for a walk

## 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?

SAVANTOR & OTHER RESIDENTS LOCALLY HAVE TOLD ME  
THAT ONE RESIDENT HAS CONFRONTED WALKER AND  
HE ALSO HAS DOES

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

WE HAVE STOPPED USING IT  
.....  
.....  
.....

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

.....  
OTHER NEIGHBOURS - SOME TIME AGO  
.....

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

☒ No

☐ Yes

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

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

#### Other Information

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

☒ No

☐ Yes

If yes – please provide details

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

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way? [Continue on a separate sheet if necessary]  
[If you wish to provide a separate sketch map, please do so and attach to this statement]

THIS ROAD IS NOT FARMLAND, SO NO CHANCE OF  
DAMAGE TO CROPS AND IT PROVIDES A GOOD  
.....

SAFE ACCESS, AVOIDING HOUNSLOW ROAD  
LINKING HOUNSLOW AND MILE BLOW.

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?

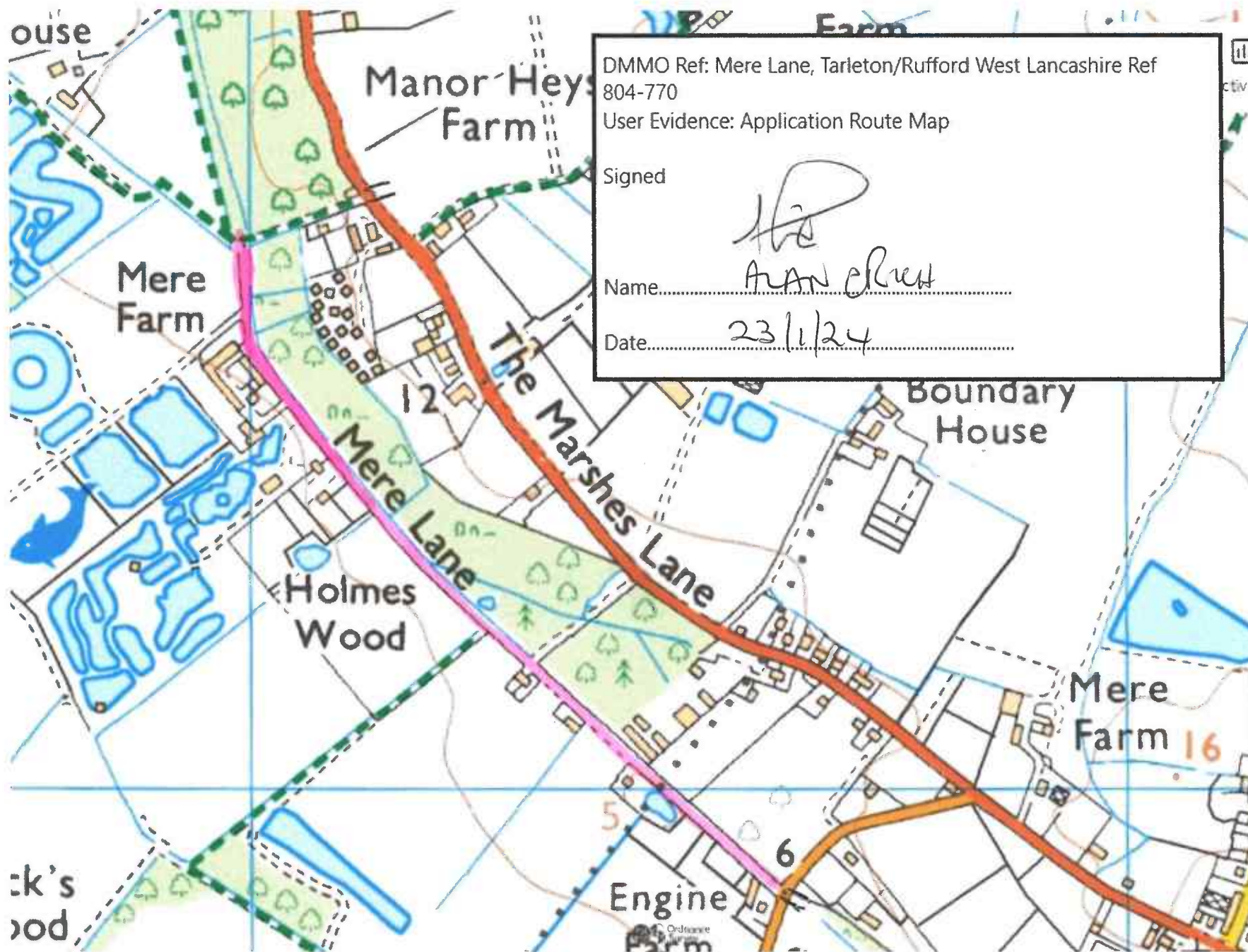
☒ Yes

☐ No

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

☒ Yes

☐ No



DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref 804-770

User Evidence: Application Route Map

Signed

*[Signature]*

Name.....

*Alan Platt*

Date.....

*23/1/24*

## Public Right of Way User Evidence Statement

*Revised April 2018*

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

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

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

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

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

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

### **Confidentiality – Please Read Carefully**

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

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



## DECLARATION

### Data Protection Legislation

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

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

Please print your name here ..... DIANE BAXTER .....

Your: Home Telephone Number ..... 01704 821967 .....

Mobile Telephone Number ..... 07966 180166 .....

Email Address ..... diane.baxter40@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: 23/1/2024

**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 DIANE BAXTER

Address 83 THE MARSHES LANE

MERE BROW

PRESTON

Postcode PR4 6JR

Year of Birth 1966

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.)

From the bottom of More Lane and turn left, instead of right for the continuation of the existing footpath, (Point A on map) Walk along tarmaced road (with potholes) past Farm, Fisheries and two properties to (Point B on map) where footpath restarts towards woodland.

## 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 ..... 1993 ..... 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]<br>..... |       |        |         |                  |             |                         |

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

Pleasure - it is a 10 minute walk from our home and makes a pleasant circular walk or a longer walk heading towards More Sands Woods.

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)

If in vehicles<sup>bicycles</sup> were continuing along the lane to properties or to turn<sup>5</sup> onto Wiggins Lane or The Marshes Lane.

.....

.....

.....

.....

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

- ☒ Yes
- ☒ Don't know
- ☐ No

If no – how and when was the route altered?

.....

.....

.....

7. Approximately how wide is the application route?

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

It is a road width, vehicles use it.

.....

.....

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]

Tarmaced, but not maintained, lots of  
pot holes.

.....

.....

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

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

Not that I know of

How long were they in place?

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

Not that I know of

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

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

Sign's that indicated the position of public footpaths have been tampered with and 'PRIVATE' has been put on signage. (Point C on 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

Mainly dog walkers, cyclist used to use it but now too many pot holes to be safe.

### 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?

Mr. Thompson has approached me when walking to ask where I was going, who I was.

.....

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

I have been stopped by Mr Thompson on two occasions in the last 8 years on both occasions he let me continue to the public footpath when he realised who I was.

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

A couple of walkers that we see regularly on walks around the village have discussed being approached as they have attempted to reach the public footpath.

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]

There is only one homeowner who seems to have issues with villagers using the route to get



to the public footpath.

It is already a roadway and used by a number of vehicles to reach numerous properties along the lane.

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?

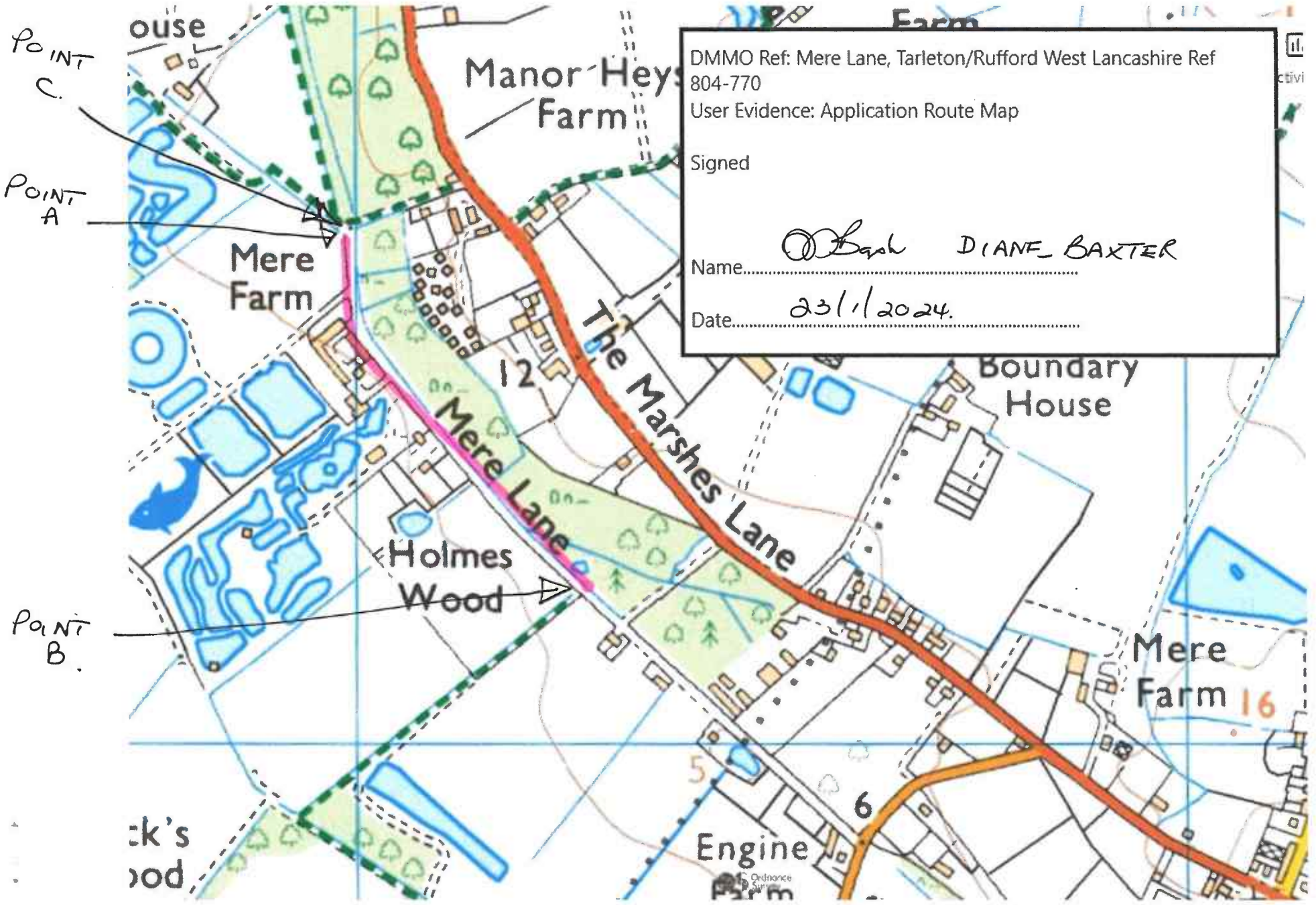
☒ Yes

☐ No

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

☐ Yes

☒ No



DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref 804-770

User Evidence: Application Route Map

Signed

Name..... *Diane Baxter* DIANE BAXTER

Date..... 23/1/2024.

## Public Right of Way User Evidence Statement

*Revised April 2018*

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

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

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

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

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

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

### **Confidentiality – Please Read Carefully**

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

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

## DECLARATION

### Data Protection Legislation

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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 NEIL HOUSE

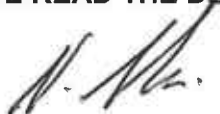
Your: Home Telephone Number 01704 821287

Mobile Telephone Number 07774 479664

Email Address neilhouse@live.co.uk

### Statement of Truth

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

Your Signature: 

Date: 21-1-24

**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 NEIL HOUSE

Address 201 THE MARSHES LN, MERE BROW  
TARLETON, PRESON

Postcode PR4 6JS

Year of Birth 7-10-62

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.)

STARTING AT FOOTPATH 22, TURN LEFT DOWN  
 MERE LANE, FOLLOW DITCH AND WOOLAND ON YOUR  
 LEFT PASSING START OF FOOTPATH 26 ONTO RIGHT  
 THEN CONTINUE ONTO JUNCTION WITH WIGGINS 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 ..... JULY 2005 ..... To ..... ~~2023~~ 2024 .....

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]<br>..... |       |        |         |                  |             |                         |

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

PLEASURE AND WORK RELATED .  
.....  
.....

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

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

|   |
|---|
| ✓ |
| ✓ |
| ✓ |
| ✓ |

.....

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

**YES**

**NO**

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

.....

.....

.....

.....

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

7. Approximately how wide is the application route?

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

3 TO 4 METERS.

.....

.....

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

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

TARMAC AND CINDER TRACK.

.....

.....



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

..... L.C.C SIGN STATING FOOTPATH ONLY. ....  
.....  
.....

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

..... DOG WALKERS .....  
..... JOGGERS .....  
..... CARS .....

### 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

..... LOTS OF MY CUSTOMERS HAVE BEEN REPRIMANDED  
..... WILST WALKING DOWN THE LANE WAITING FOR  
..... CAR REPAIRS .....

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]

..... BECAUSE OF DANGEROUS PAVEMENTS 12 WIDTH IT IS  
..... MUCH SAFER ROUTE TO USE AND ALSO A MORE .....

PLEASANT PLACE TO WALK.  
WHEN I FIRST MOVED TO MY PROPERTY ALL  
MY CUSTOMERS AND MY FAMILY USED THIS ROUTE  
WITH NO PROBLEM INCLUDING MY DAUGHTER BY HORSE

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?

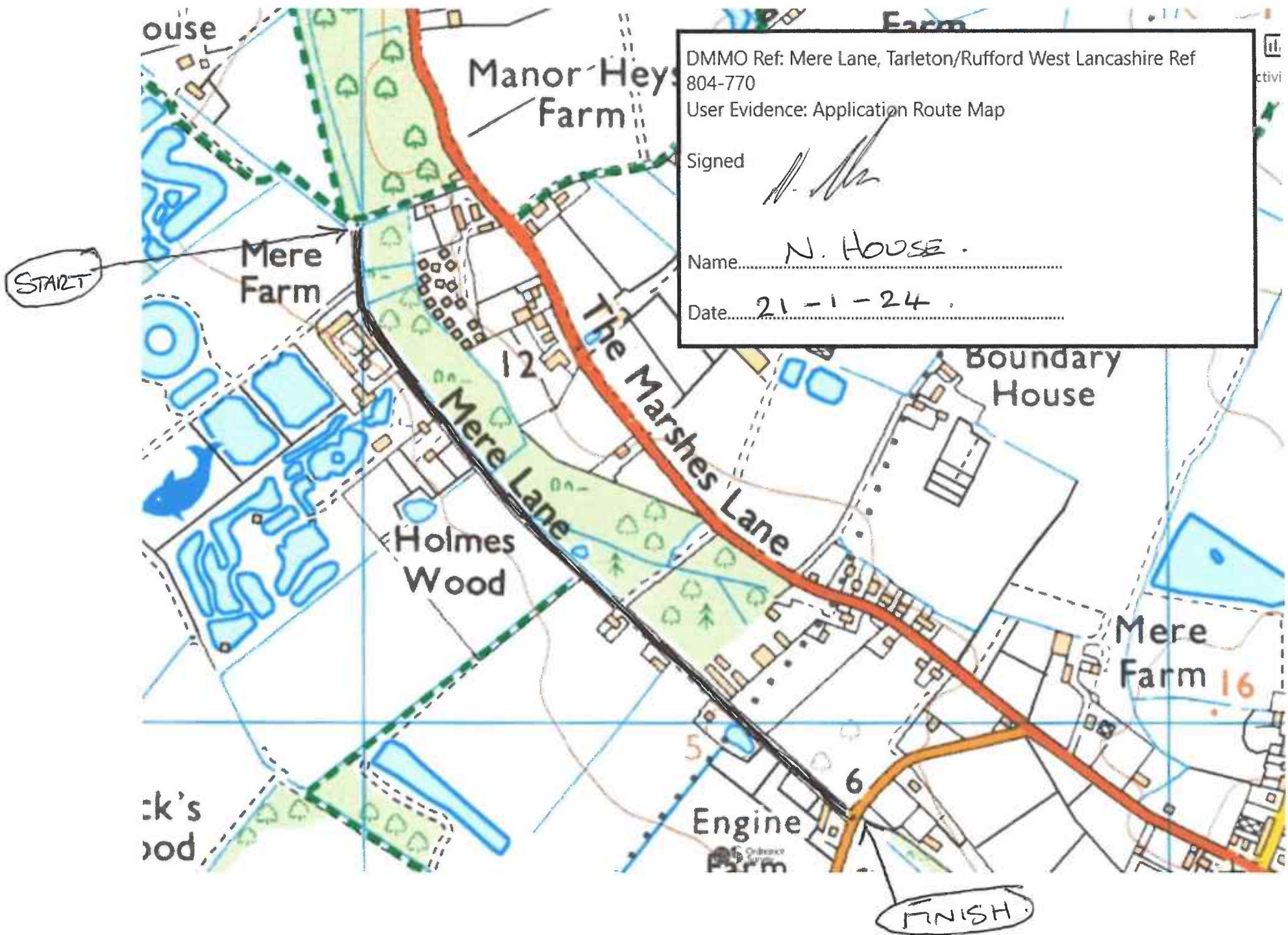
☒ Yes

☐ No

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

☒ Yes

☐ No



DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref 804-770

User Evidence: Application Route Map

Signed

Name

N. HOUSE

Date

21-1-24

## Public Right of Way User Evidence Statement

*Revised April 2018*

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Please print your name here I DO NOT WISH TO DIVULGE  
MY IDENTITY AT THE PRESENT TIME

Your: Home Telephone Number 01704821045 CO. ROBERT  
JOHNSON

Mobile Telephone Number .....

Email Address landjohnson145@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:

R Johnson

Date:

28.1.2024

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

NAME AND ADDRESS WITHHELD

Address

AT THIS PRESENT TIME FOR  
PERSONAL REASONS

Postcode

Year of Birth

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]

### 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.)

TOTAL LENGTH MERE LANE EXISTING  
FOOTPATH INCLUDED STARTING FROM  
WIGGINS 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 .....1968..... To .....2024.....

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

1968-1989 EVERY DAY AS  
RESIDENT SINCE THEN RARELY IN  
CAR.

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]<br>..... |       |        |         |                  |             |                         |

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

I LIVED ON MERE LANE 1968-1989

ACCESS TO HOME 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?

.....

.....

.....

7. Approximately how wide is the application route?

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

3 METRES

.....

.....

.....

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

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

TARMAC + GRAVEL

.....

.....

.....

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

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

.....  
..... NA .....  
.....

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]

..... NA .....  
.....  
.....

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

☒ No

☐ Yes

If yes, please give details

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

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

☒ No

☐ Yes

☐ Don't know

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

.....

.....

.....

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

☐ No

☒ Yes

If yes, please provide any additional information about this

.....

.....

.....

## Land Ownership

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

☒ No

☐ Yes

If yes, provide details and dates

.....

.....

.....

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

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

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

☒ No

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

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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]

DURING THE TIME I RESIDED ON  
MERE LANE IT WAS ALWAYS



REGARDED AS A TRACK ON WHICH  
WALKERS WERE ALLOWED TO WALK  
AND SHOULD REMAIN THE SAME.

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?

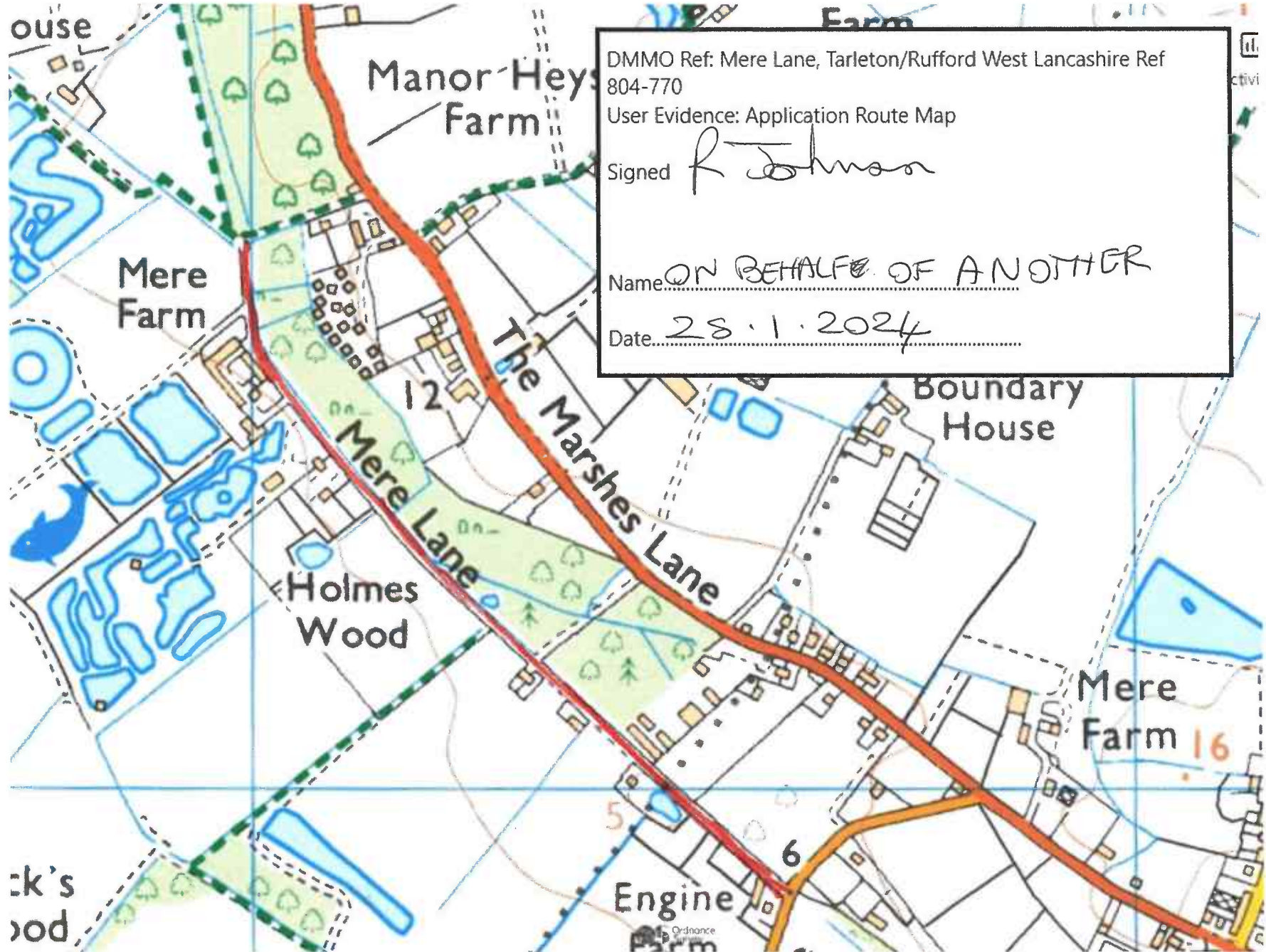
☐ Yes

☒ 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 2018*

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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 ..... LINDA HAYDOCK .....

Your: Home Telephone Number ..... 01257 411277 .....

Mobile Telephone Number .....

Email Address ..... linda.haydock73@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: Linda Haydock

Date: 27.01.24

**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 LINDA HAYDOCK

Address OAKLANDS, BURGH LANE

CHORLEY

LANCASHIRE

Postcode PR730T

Year of Birth 1973

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]

CARR LANE, CHORLEY 1985-2017

### 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)
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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.)

...UTILISE THE FULL LENGTH OF MERE LANE, USED  
 ...IN BOTH DIRECTIONS. PASSING FROM THE  
 ...MARSHES LANE END, ALONG THE TRACK, PASSING  
 ...MERE FARM ON THE RIGHT, PASSING TRACK TO  
 ...WOODS ON RIGHT, CONTINUE UNTIL THE 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 ...2003... To ...2024...

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

...N/A...  
 .....  
 .....

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]<br>..... |       |        |         |                  |             |                         |

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

PLEASURE & SAFETY, SAFE ROUTE TO.....  
 AVOID USING BUSY ROADS.....  
 .....

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

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

|   |
|---|
| ✓ |
| ✓ |
| ✓ |
|   |

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

☒ YES

☐ NO

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

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

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

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

7. Approximately how wide is the application route?

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

.....WIDTH OF ROUTE VARYS IN PLACES.....  
.....3/4 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]

.....VARIED, GRAVEL 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.....  
.....  
.....

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

YES BELIEVED IT WAS A FOOTPATH. SEE  
MANY LOCAL WALKER, PEOPLE ACCESSING  
FISHERIES, HORSE RIDERS, 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

AWARE OTHERS HAVE BEEN STOPPED

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

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

.....

.....

.....

#### Other Information

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

☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?  
[Continue on a separate sheet if necessary]  
[If you wish to provide a separate sketch map, please do so and attach to this statement]

THIS ROUTE IS USED AS A SAFE ALTERNATIVE  
TO THE MARSHES LANE. LIMITED AND VERY

NARROW PAVEMENTS ON THE ROAD PUT  
PEOPLE AT RISK, MORE LANE IS A QUIET  
SAFE ALTERNATIVE ROUTE FOR LOCALS

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?

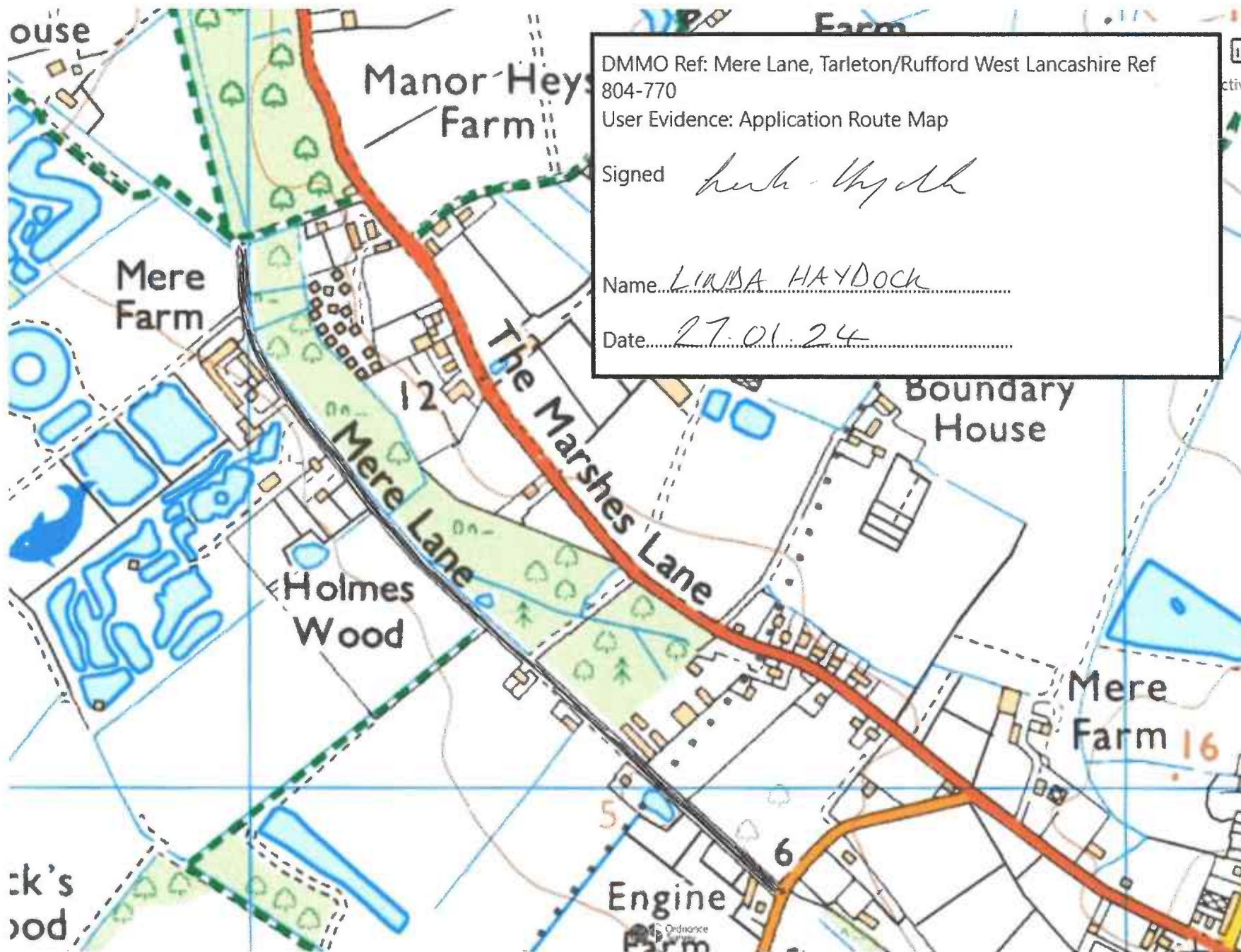
☒ Yes

☐ 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 2018*

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

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

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

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

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

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

### Confidentiality – Please Read Carefully

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

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

## DECLARATION

### Data Protection Legislation

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

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

Please print your name here BARBARA KENYON

Your: Home Telephone Number 01704 - 821148

Mobile Telephone Number 07484 688279

Email Address B Kenyon 2010@yahoo.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: B Kenyon

Date: 29 January 2024

**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 BARBARA KENNON

Address 143, THE MARSHES LANE MERE BROW  
TARLETON PRESTON LANCS

Postcode PR4 6JS

Year of Birth 1950

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 USED MERE LANE FOR HORSE RIDING  
FROM 2002

### ABOUT THE APPLICATION ROUTE

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

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

2. Describe the application route.

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

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

- 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.)

USUALLY STARTING ON PUBLIC FOOTPATH  
OFF THE MARSHES LANE CONTINUING THE  
WHOLE LENGTH OF MERE LANE TO WIGGINS  
LANE. SOMETIMES TURNING OFF MERE LANE DOWN  
FOOTPATH TO NUCKS WOOD.

## 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 ..2002..... To ..2022.....

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                         | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |         |                  |             |                         |
| On horseback                    | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |         |                  |             |                         |
| By pedal cycle                  |                                     |                                     |         |                  |             |                         |
| By car                          |                                     |                                     |         |                  |             |                         |
| Other [please specify]<br>..... |                                     |                                     |         |                  |             |                         |

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

HORSE RIDING AND WALKING 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

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |

.....

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

☐ NO

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

.....

.....

.....

.....

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

7. Approximately how wide is the application route?

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

3 to 4 metres

.....

.....

.....

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]

TAR MAC AND GRAVEL

.....

.....

.....

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

.....

.....

.....

## 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 HAVE USED MERE LANE FIRSTLY  
AS A HORSE RIDER AND OF LATE



AS A DOG WALKER I ALWAYS  
BELIEVED THIS WAS ALLOWED AND SHOULD  
REMAIN AS SUCH.

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?

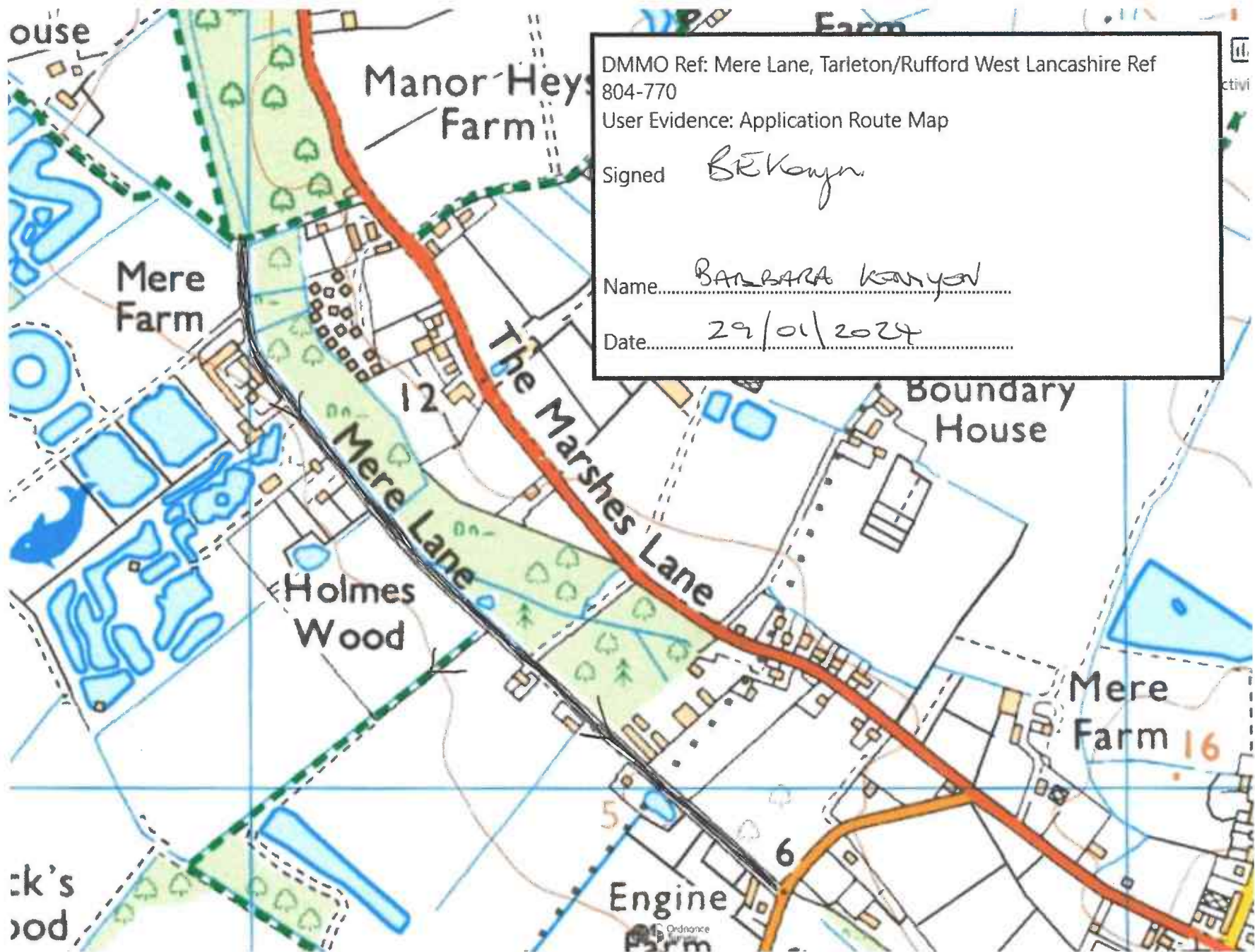
☒ Yes

☐ No

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

☒ Yes

☐ No



Lynna Robert away Wed - Friday

Stan away Thursday - Monday

2002  
- BOFI 2022

## Public Right of Way User Evidence Statement

*Revised April 2018*

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

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

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

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

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

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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 Brian Kenyon

Your: Home Telephone Number 01704 821148

Mobile Telephone Number                     

Email Address                     

### Statement of Truth

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

Brian Kenyon

Your Signature:

Date: 29.1.2024

**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 BRIAN KENYON

Address 143 THE MARSHES LANE

MERE BROW TARBLETON

PRESTON LANCs

Postcode PR4 6JS

Year of Birth 1940

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 FROM 2002 WE LIVED IN  
BURSCOUGH AND USED MERE LANE FOR HORSE RIDING

### 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 BOTTOM OF MERE LANE, AT JUNCTION  
WITH FOOTPATH WE TRAVELED PAST FARM ON  
RIGHT TO NUCKS WOOD FOOTPATH ON RIGHT. SOMETIMES  
WE WENT TO NUCKS WOOD OR CARRIED ON DOWN  
MERE LANE TO ITS END ON WIGGINS 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 2002 To Current use

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]<br>..... |       |        |         |                  |             |                         |

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

PLEASURE - ACCESS. SAFE ROUTE  
FOR WALKING / HACKING OFF BUSY  
ROAD.

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

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

|   |
|---|
| ✓ |
| ✓ |
| ✓ |
| ✓ |

.....

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

☐ NO

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



.....

.....

.....

.....

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

- ☒ Yes
- ☐ Don't know
- ☐ No

If no – how and when was the route altered?

.....

.....

.....

7. Approximately how wide is the application route?

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

3 - 4 METRES VARYING ALONG ITS LENGTH

.....

.....

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

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

TARMAC AND CINDER TRACK

.....

.....

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

OTHER WALKERS AND HORSERIDERS

.....

.....

### 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]

IN THE EARLY YEARS I WALKED  
WITH MY WIFE WHO WAS ON HORSE BACK

AND THEN OF LATE WHILST WALKING-  
A DOG FOR A NEIGHBOUR

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?

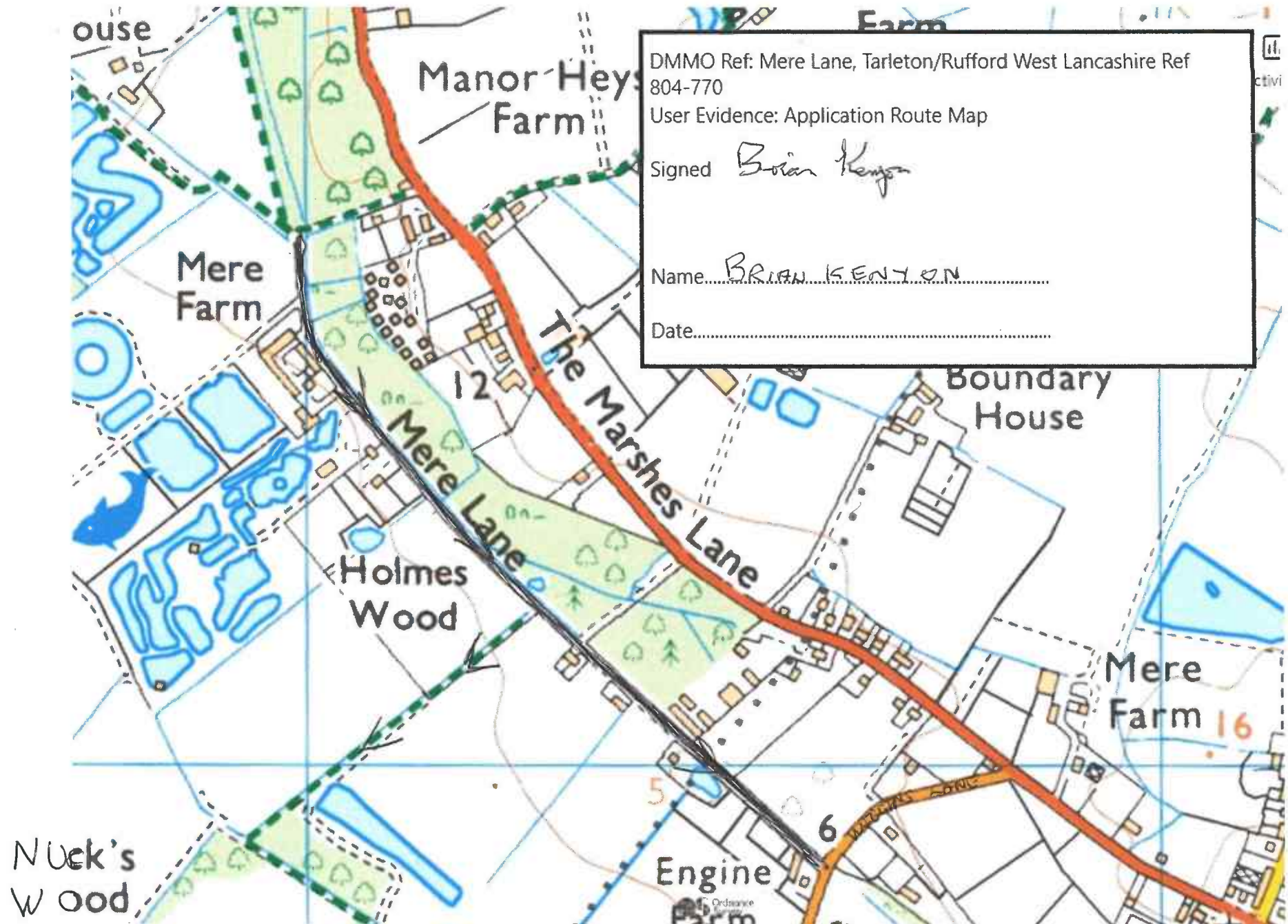
☒ Yes

☐ No

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

☒ Yes

☐ No



**DECLARATION****Data Protection Legislation**

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

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

Please print your name here ..... CHARLES PARKER .....

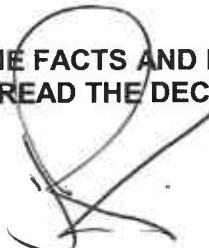
Your: Home Telephone Number .....

Mobile Telephone Number ..... 07972062592 .....

Email Address ..... charlieparker1612@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: 30.01.24.

**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

CHARLES PARKER

Address

CLaigmore, HolmeWood Road,

HolmeWood, Rufford, LANCs.

Postcode

L40 1TY

Year of Birth

1953

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

No

### ABOUT THE APPLICATION ROUTE

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

☒ As a footpath (public rights on foot only)

☐ As a bridleway (public rights on foot and on horseback or bicycle)

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

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

2. Describe the application route.

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

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

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

.....

.....

.....

.....

## MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the 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 ..... 1984 ..... 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                         |       |        |         | 6/8 weeks.       |             |                         |
| On horseback                    |       |        |         |                  |             |                         |
| By pedal cycle                  |       |        |         |                  |             |                         |
| By car                          |       |        |         |                  |             |                         |
| Other [please specify]<br>..... |       |        |         |                  |             |                         |

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

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> |

.....

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



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

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

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

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

7. Approximately how wide is the application route?

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

Sufficient to allow vehicular access. I used  
entire width, not choosing any particular  
line of travel.

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.

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

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

*Walkers, horse riders and motorists.*

.....

.....

.....

## 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]

My usual walk takes me along Rf through Nucks Wood. This  
at the Wood's end, heads North until it meets Mer



home. I then head west along Menehane (? footpath)  
to where it meets another running adjacent to  
Timothy Edwards' farm. At its end I head North  
to Marshes home. If Menehane were private, then  
first footpath mentioned would come to a dead end.

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? <sup>marked on map.</sup>

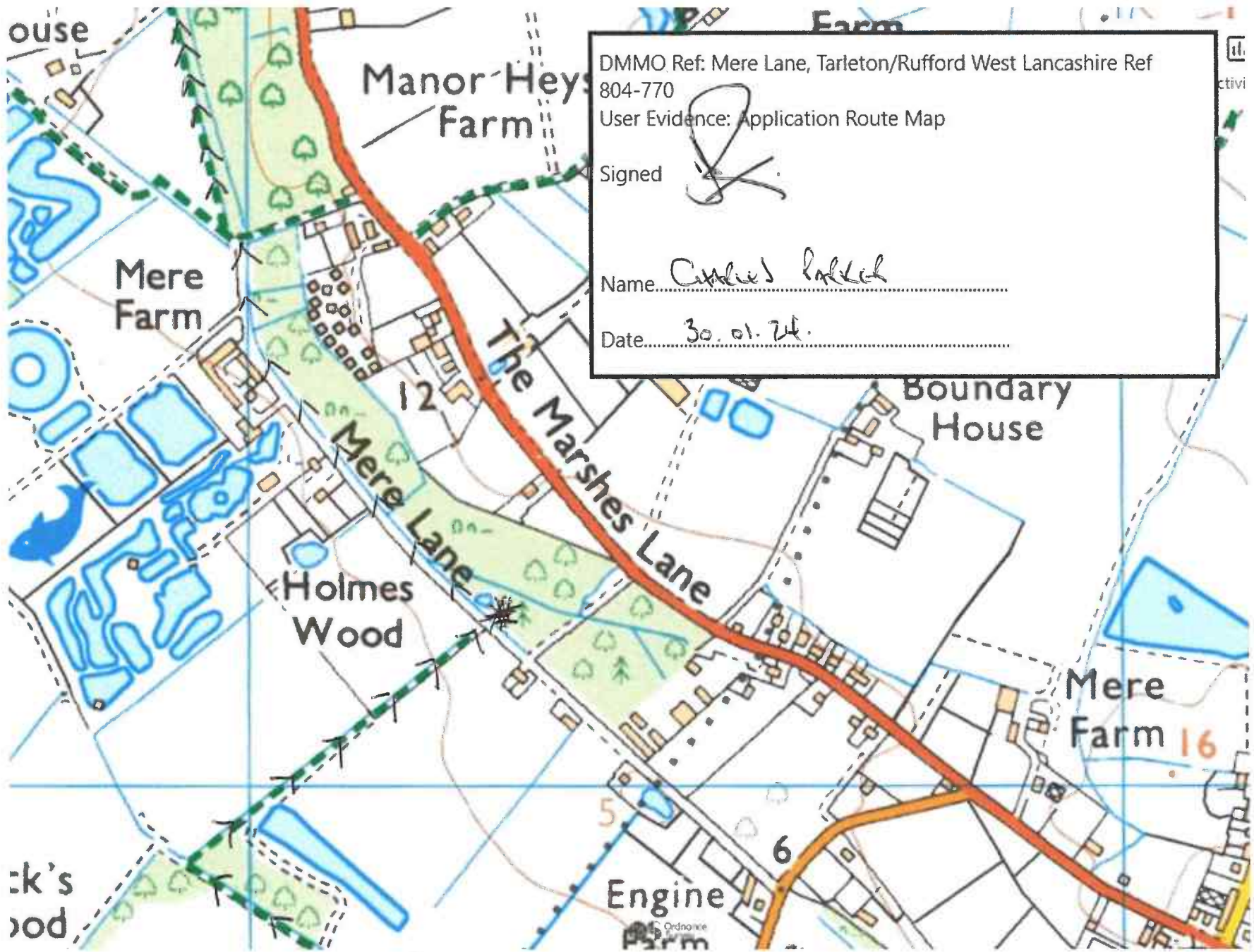
☒ Yes

☐ No

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

☒ Yes

☒ No *[initials]*



DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref 804-770

User Evidence: Application Route Map

Signed

Name

Andrew Liddell

Date

30.01.24.

## Public Right of Way User Evidence Statement

*Revised April 2018*

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

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

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

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

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

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

### **Confidentiality – Please Read Carefully**

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

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

## DECLARATION

### Data Protection Legislation

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

Please print your name here .....HELEN GALLAGHER.....

Your: Home Telephone Number .....N/A.....

Mobile Telephone Number .....07841634535.....

Email Address .....Helenmerebrow@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: 

Date: 30/1/24

**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 HELEN GALLAGHER

Address 137 THE MARSHES LANE  
MERE BROW

Postcode PR4 6JS

Year of Birth 1971

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.)

see attached.

## MAP OF THE APPLICATION ROUTE

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

## YOUR USE OF THE APPLICATION ROUTE

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

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

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

UNSURE OF PRECISE DATES BUT WE STOPPED

DUE TO RESIDENT OBJECTION

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]<br>..... |       |        |         |                  |             |                         |

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

PLEASURE - DOG WALKING AS SAFE CIRCULAR  
ROUTE VIA FOOTPATHS TO PARENTS HOUSE  
IN MOLMESWOOD,

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)

WALKERS OFTEN TURNED AROUND  
WHEN TOLD BY RESIDENT

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']

X 3 METRES, THERE IS A VEREE TOO

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]

UNEVEN ROAD 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

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

.....SIGNS KEEP BEING TAKEN DOWN.....  
.....AND REPLACED.....  
.....

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

.....PARENTS USED TO WALK TO OUR HOUSE THIS WAY.....  
.....LOCAL WALKERS.....  
.....

### Land Ownership

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

☒ No

☐ Yes

If yes, provide details and dates

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

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

☒ No

☒ Yes

If yes,

a. From whom?

Bill  
John Thompson ~~Senior~~ ~~has cleared~~

b. When?

APPROX 15 YEARS AGO.

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?

LOCALS TOLD BY RESIDENT.

NOW UNCOMFORTABLE WALKING THERE IN

CASE OF CONFRONTATION OR DOGS HE HAS

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

WE HAVE TURNED BACK IN THE PAST

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

PARENTS

NEIGHBOURS

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

☒ No

☐ Yes

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

#### Other Information

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

☒ No

☐ Yes

If yes – please provide details

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way? [Continue on a separate sheet if necessary]  
[If you wish to provide a separate sketch map, please do so and attach to this statement]

THIS ROUTE PROVIDES INVALUABLE OFF

ROAD WALKING LINKING A NUMBER OF

WALKS

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?

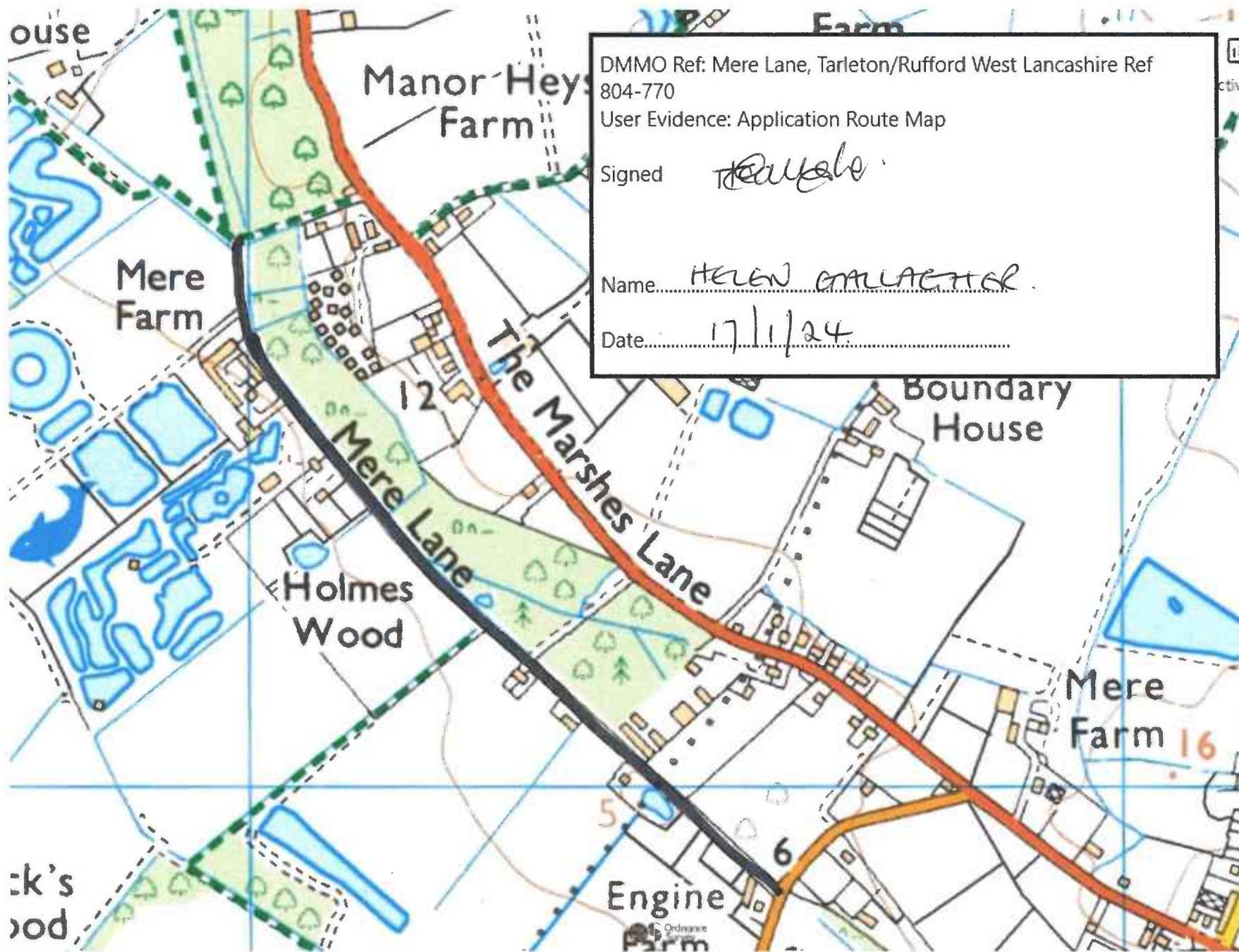
☒ Yes

☐ No

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

☒ Yes

☐ No



DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref  
804-770

User Evidence: Application Route Map

Signed

*H. G. G. G.*

Name

*HELEN GALLAGHER*

Date

*17/1/24*

Leaving 137 The Marshes Lane (sd4224817647) turn left onto The Marshes Lane and continue 0.13km to the junction of Mere Lane on the right. There is a gas container on the corner (sd4212517675). This used to have a public footpath sign on which has been periodically removed. There is also a council sign stating no through road and no horses.

We turn down the lane and continue for 0.14 km until there is a bend to the left ( sd4199317616). there is a wood to the right with a footpath going through. Although this is often overgrown and very difficult to walk. The footpath through the wood is not the path in discussion.

From this point there has been an issue continuing along Mere Lane to meet the footpath further along the lane ( sd4227217184). The only way to meet this path and therefore continue on a walk is to walk along Mere Lane for 0.51km. This is the route in question – highlighted on the map in yellow. Access is being denied to this therefore meaning there is no way to access the continuation of the path further along Mere Lane.



17:55

61%



TIME

0 h 31 min

TOTAL ASCENT

76 m

LENGTH

2.07 km







## Public Right of Way User Evidence Statement

*Revised April 2018*

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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.

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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.

## Data Protection Legislation

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.

**Your: Home Telephone Number** .....

Email Address ..... Dan.gallagher1@talk21.com

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

Dr. Gallagher

29/07/24

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.

2

## PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

### ABOUT YOU

Name

MR. D. A. GALLAGHER

Address

137 THE MARSHES LANE

MERE BROW

PRESTON

Postcode

PR4 6JS

Year of Birth

1970

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.)

SEE ATTACHED.

## MAP OF THE APPLICATION ROUTE

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

## YOUR USE OF THE APPLICATION ROUTE

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

From 2001 To

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

STOPPED USING DUE TO OBJECTION

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                         |       | <input checked="" type="checkbox"/> |         |                  |             |                         |
| On horseback                    |       |                                     |         |                  |             |                         |
| By pedal cycle                  |       |                                     |         |                  |             |                         |
| By car                          |       |                                     |         |                  |             |                         |
| Other [please specify]<br>..... |       |                                     |         |                  |             |                         |

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

DOG WALKING, 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

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/>            |
| <input type="checkbox"/>            |
| <input type="checkbox"/>            |

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)

.....TURNED AROUND BY RESIDENT.....

.....

.....

.....

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']

.....x 3 METRES WITH VERGE.....

.....

.....

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]

.....UNEVEN.....

.....

.....

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

..... IN LANS USED TO WALK HERE REGULARLY.

..... LOCAL DOG WALKERS.

.....

### Land Ownership

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

☒ No

☐ Yes

If yes, provide details and dates

.....

.....

.....



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

☐ No

☒ Yes

If yes,

a. From whom? BILL THOMPSON SENIOR

b. When? ~ 15 YEARS AGO

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?

LOCALS TOLD BY RESIDENT  
NOT COMFORTABLE DUE TO DOGS LOOSE

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

WE HAVE TURNED BACK DUE TO  
RESIDENTS DOGS

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

PARENTS - IN-LAW  
LOCAL RESIDENTS.

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]

SAFE OFF ROAD WALKING PROVIDING  
WALKABLE ACCESS TO RELATIVES

.....

.....

.....

.....

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?

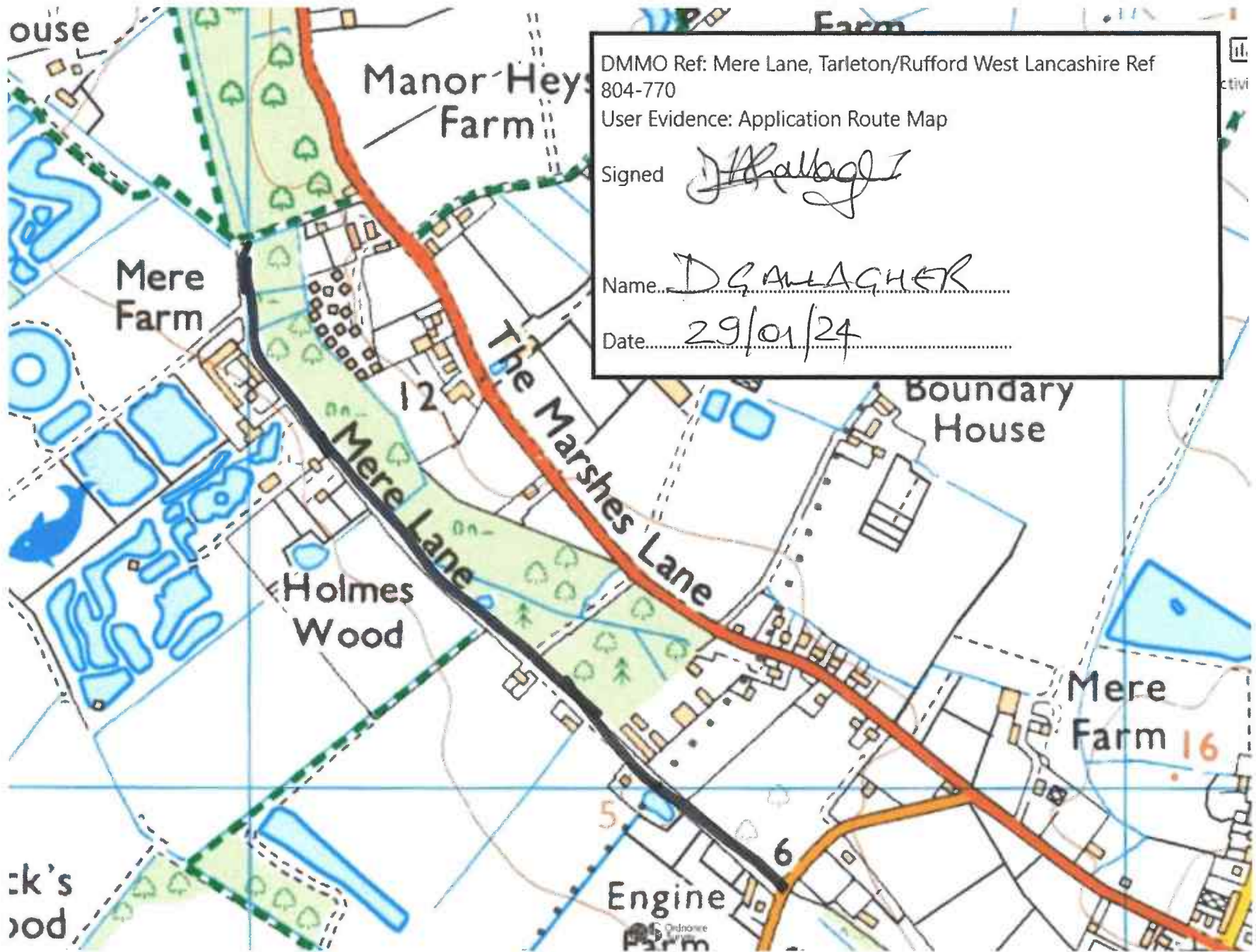
☒ Yes

☐ No

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

☒ Yes

☐ No



DMMO Ref: Mere Lane, Tarleton/Rufford West Lancashire Ref  
804-770

User Evidence: Application Route Map

Signed

*[Signature]*

Name

*D. O'NEILL*

Date

*29/01/24*

Leaving 137 The Marshes Lane (sd4224817647) turn left onto The Marshes Lane and continue 0.13km to the junction of Mere Lane on the right. There is a gas container on the corner (sd4212517675). This used to have a public footpath sign on which has been periodically removed. There is also a council sign stating no through road and no horses.

We turn down the lane and continue for 0.14 km until there is a bend to the left ( sd4199317616), there is a wood to the right with a footpath going through. Although this is often overgrown and very difficult to walk. The footpath through the wood is not the path in discussion.

From this point there has been an issue continuing along Mere Lane to meet the footpath further along the lane ( sd4227217184). The only way to meet this path and therefore continue on a walk is to walk along Mere Lane for 0.51km. This is the route in question – highlighted on the map in yellow. Access is being denied to this therefore meaning there is no way to access the continuation of the path further along Mere Lane.

17:55

61%

Holmes Wood

The Marshes Lane

Mere Lane

Plot

Snap

Remove

Undo

Style

mapbox

TIME

0 h 31 min

TOTAL ASCENT

76 m

LENGTH

2.07 km

110m

0 km

4m

1 km

9m

2.1 km





## Public Right of Way User Evidence Statement

*Revised April 2018*

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

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

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

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

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

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

### **Confidentiality – Please Read Carefully**

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

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

## DECLARATION

### Data Protection Legislation

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

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

Please print your name here ..... ELIZABETH TYSON .....

Your: Home Telephone Number ..... 01772 - 814075 .....

Mobile Telephone Number ..... 07751 249272 .....

Email Address ..... rtyson 55 @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. Tyson

Date: 22-5-24

**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 ELIZABETH TYSON

Address 'LANDSDOWNE' SHORE ROAD  
HESKETIT BANK - PRESTON. LANCs

Postcode PR4 6XP

Year of Birth 6/2/1946

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]

YES!

### 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.)

HERE LANE runs from its junction with the B 5246  
MARSHES LANE in an almost straight line to Wiggins  
Lane. HERE LANE looks like an "unclassified"  
country lane with access to business properties  
along it.

### 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 ..1958 - 1963 To ..2024

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

REGULAR (MONTHLY USE) ON BICYCLE OR HORSEBACK  
DURING <sup>LATE</sup> 1950'S - 1960'S

OCCASIONAL USE IN A CAR UP TO 2024

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]<br>MOTOR SCOOTER |       |        |         |                  |             | OCCASIONALLY BEFORE I HAD A CAR. |

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

TO EXERCISE PONIES / PLEASURE /  
TO BUY VEGETABLES .  
.....

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 FAR AS I CAN REMEMBER. IT WAS  
A NAMED LANE. SHOWN AND RECORDED  
ON O.S. MAPS.
- ☐ 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']

Roadway approx 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]

I remember 'HERE LANE' as a hard surfaced  
(possibly gravel) route as suitable to ride,  
cycle or drive on.

Now SPRING 2024 it was deeply pot-holed  
and unfit for reasonable use.

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

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

NOT ON ACTUAL ROUTE!  
There may be stiles where F.P's 22  
and F.P. 26 access MERE LANE.

How long were they in place?

NOT KNOWN.

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 During my early use 1950's/1960's - 1980's I was not aware of any signs that indicated this was not a public road. The fact that F.P. 26 accesses MERE LANE would give the impression of a public route.
- ☒ Yes
- ☐ Don't know

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

THIS CENTURY 2000's an increasing proliferation of unsightly signs at both ends of MERE LANE - showing all of the above + NO HORSES & NO CYCLING - presumably to indicate that this is NO LONGER A PUBLIC ROAD.

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

RIDERS, CYCLISTS, WALKERS, CARS all seen along here over the years I have known MERE LANE.

### 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 - NOT ON MERE LANE!

☐ Yes

If yes, by whom and when?

2 ~~MAN~~ MEN CAME TO MY HOME (SPRING 2024)  
MAKING THREATS ABOUT THIS ROUTE BECOMING A  
BRIDLEWAY AND HOW THEY WOULD MAKE IT  
DIFFICULT FOR PEOPLE USING MERE LANE.

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

“HERE LANE” is a named highway on O.S. maps  
Has Public Footpaths joining it and I am quite  
sure will be recorded on early maps when  
it came into existence after the draining  
of MARTIN MERE!

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

