

Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name here **SUSAN NIEDUSZYNSKA**

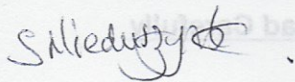
Your: Home Telephone Number **01524 60480**

Mobile Telephone Number **07745 402 177**

Email Address **sue@nieduszynski.org**

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: **21/08/17**

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Susan Nieduszynska

Address 106 Aldcliffe Rd
Lancaster

Postcode LA1 5BE

Year of Birth 1945

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

Previously lived on Haverbreaks Place 1973 - 1986
Aldcliffe Rd from 1986

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 proposed path runs between Aldcliffe Road and Aldcliffe Hall Lane and links the established footpaths FP41, FP49 and FP50

MAP OF THE APPLICATION ROUTE

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

YOUR USE OF THE APPLICATION ROUTE

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

From 1973 to 2017

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

No

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

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

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

For pleasure

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**

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

.....

.....

.....

.....

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

7. Approximately how wide is the application route?

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

2 1/2 - 3m.

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

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

Tarmac

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

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

No

How long were they in place?

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

No

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

Bollards to prevent through motorised traffic

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 and cycling. Young people probably going to school.

Land Ownership

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

- ☒ No
- ☐ Yes

If yes, provide details and dates

.....

.....

.....

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

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

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

☒ No

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

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

.....

.....

.....

Other Information

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

☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

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

[Continue on a separate sheet if necessary]

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

This route gives us access to the disused railway line which is a popular cycle route out of Lancaster. The alternative which is to use Aldcliffe Rd. is far less safe as it is narrow and has several blind bends. I frequently drive on this stretch and have noticed a vast increase in traffic in the past year making this even more hazardous for pedestrians and cyclists. We have often wondered why Aldcliffe Hall Drive had not been marked as an alternative safer 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?

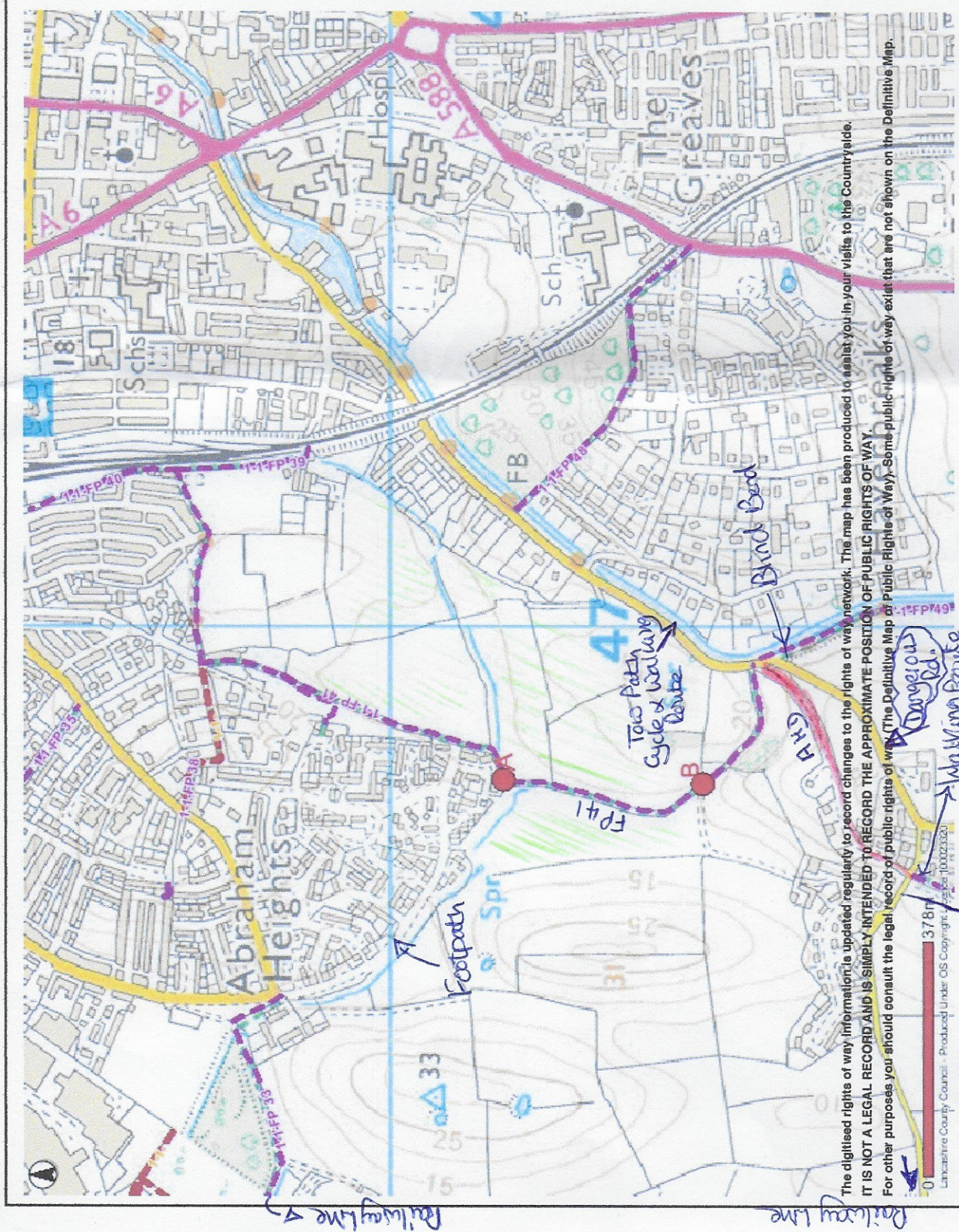
☒ Yes

☐ No

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

☒ Yes

☐ No



The digitised rights of way information is updated regularly to record changes to the rights of way network. The map has been produced to assist you in your visits to the Countryside. IT IS NOT A LEGAL RECORD AND IS SIMPLY INTENDED TO RECORD THE APPROXIMATE POSITION OF PUBLIC RIGHTS OF WAY. For other purposes you should consult the legal record of public rights of way (The Definitive Map of Public Rights of Way). Some public rights of way exist that are not shown on the Definitive Map.

Public Rights Of Way

- Footpath
- Bridleway
- Byway Open To All Traffic
- Road Used As Public Path
- Restricted Byway
- Definitive Map Modification Order
- Temporary Closures
- Other Public Rights Of Way
- Districts
- Other District/Unitary Authority
- Lancashire Districts

AHD - Airedale Hall Drive
 - Fairfield Nature Reserve

The map demonstrates that with the inclusion of Airedale Hall Drive there is a safe circular walk from the centre of Lancaster, incorporating the old railway line cycle track

Lancaster FP 41 (Fairfield Association)
 Railway line - Cycle & Walking Route



Date: 01/06/2015

This map is reproduced from Ordnance Survey material with the Permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office (C) Crown Copyright. Unauthorised reproduction may lead to prosecution or civil proceedings. Lancashire County Council - OS Licence 100023320 (C) Centre of map: 347037/460841



Tim Dant <tim.dant@gmail.com>

Re: Aldcliffe Hall Drive – Public Right of Way evidence

Helen Bennett <helenblessed@gmail.com>

25 September 2017 at 09:09

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

Hi Tim,

Here is my user statement. I'm sorry it's a few days late but I think this is still ok for early October?

Is the docx file format ok? Let me know if you need something different.

Best wishes

Helen

Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name hereHelen Bennett

Your: Home Telephone Number01524 843852

Mobile Telephone Number07854 119867

Email Addresshelenblessed@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: Helen Bennett

Date: 25th September 2017

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Helen Bennett

Address 13 Regent Street, Lancaster

.....Postcode LA1 1SG

Year of Birth 1976

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]

23 Prospect Street, Lancaster (1995-9)

.....

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)
- ☐ LIKE THIS *** As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle) ***
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

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

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".
- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".

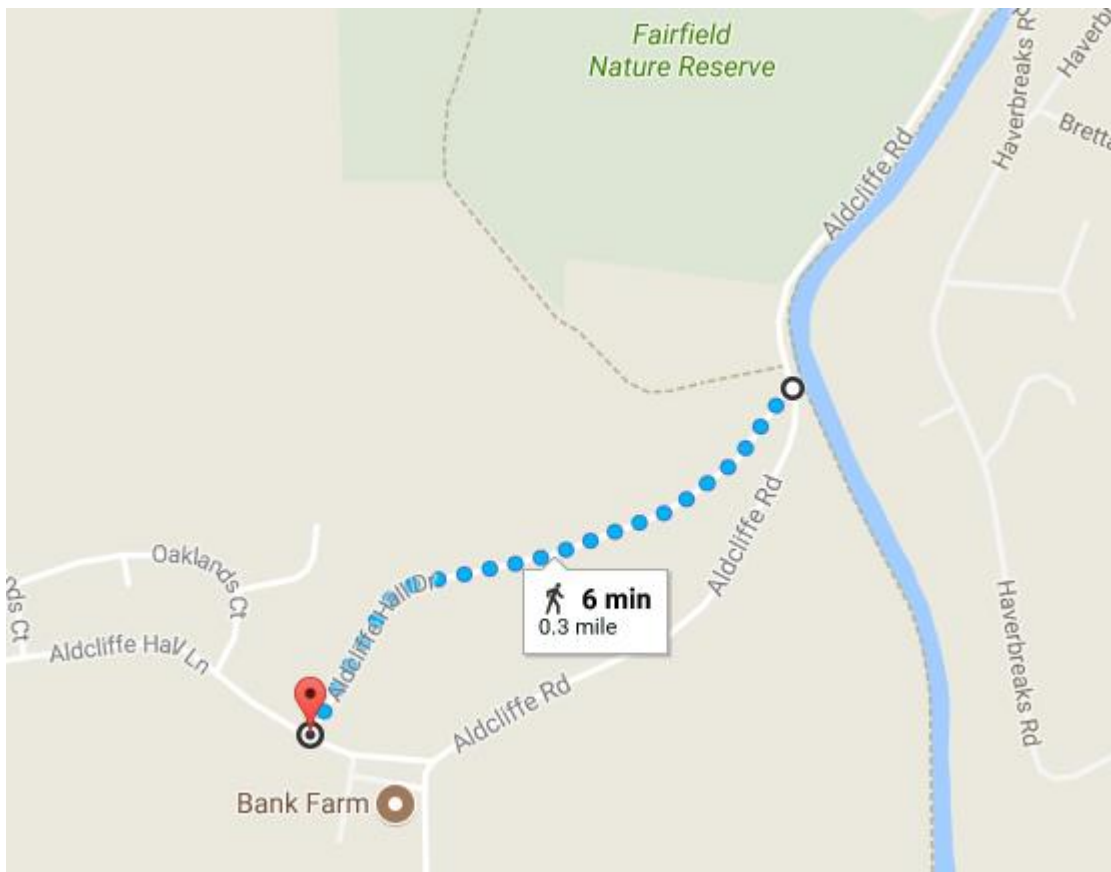
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

Aldcliffe Hall Drive, running from [54.036890, -2.811607](#) to [54.034729, -2.816704](#) (decimal degrees: they can be pasted into e.g. Google Maps).

Walking south on Aldcliffe Road where it leaves the canal, turn right up Aldcliffe Hall Drive, passing the lodge dated 1827. Continue uphill on the single-track tarmacked road under an avenue of large old trees, mostly beech. After about 200m there is a narrow point on the track. Continue past the narrow point, out from under the tree canopy, and over the brow of the hill past the new housing development on the left, and follow the road around to the left c 50m past the previous reference point. From there to the end of the referenced section the road is a residential street of medium-sized houses, front gardens and some large mature trees (copper beech and linden).

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.



Helen Bennett
25th September 2017

YOUR USE OF THE APPLICATION ROUTE

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

From1995 To Present day (2017)

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

No

.....

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

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please
--	-------	--------	---------	------------------	-------------	---------------

						describe)
On foot			Yes			
On horseback						
By pedal cycle				Yes		
By car						
Other [please specify]						

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

For pleasure: it's part of a lovely walk/bike ride out to the estuary, and even the view from the crest of the hill is beautiful.

.....

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

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

.....

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

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

.....

.....

.....
.....

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

- ☐ YES *** 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 road plus a verge either side the same width as the road, up to the narrow point at the crest; then single track road for c 50m; then narrow two-track residential road with conventional-width pavement either side.

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

Tarmac

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

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

No

.....

.....
How long were they in place?
.....
.....
.....

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

There was a pair of farm gates at the narrow point c 200 m from the canal, one either side of the road. I have only ever seen these block the road once, when they were opened as a pair to let stock through from the field on one side to the field on the other. (One gate swung across the road to block it uphill; the other gate swung across the road to block it downhill; the two gates formed a tunnel to let cows through from one field to the opposite one without the risk of them straying onto the road).

- 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 *** Yes ***

If yes, please give details

The farm gates stopped me from using the application route on the one single occasion that they were open across the track. Afterwards, they were closed again and the track was accessible. I've seen signs of them being used from time to time, but this is not a frequent thing at all. The gates appear to be designed to allow stock to be moved on occasion but allow the track to be used at all other times.

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 *** 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 *** Yes ***

If yes, please provide any additional information about this

Numerous walkers, family groups, dog walkers, cyclists... it is a popular leisure route.

Land Ownership

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

☐ NO *** 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 *** 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 *** No ***

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☐ NO *** 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 ***

☐ 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 *** 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 *** Yes ***

☐ No

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

☐ Yes

☐ NO *** No ***

DECLARATION

Data Protection Act 1998

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

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

Please print your name here ROBIN HARPLEY

Your: Home Telephone Number 01524 66413

Mobile Telephone Number —

Email Address anniewatson30@hotmail.com

Statement of Truth

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

Your Signature: R. D.

Date: 19/9/17

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

ROB HARPLEY

Address

Flat 1

2 CASTLE PARK

LANCASTER

Postcode

LA1 1YQ

Year of Birth

20/1/1949

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

2 LINDOW SQ. LANCASTER 1977-1989

ABOUT THE APPLICATION ROUTE

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

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

2. Describe the application route.

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

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

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

ALDCLIFFE HALL DRIVE.

435 METRES BETWEEN ALDCLIFFE RD &

ALDCLIFFE HALL LANE

MAP OF THE APPLICATION ROUTE

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

YOUR USE OF THE APPLICATION ROUTE

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

From 1980 To 2017.

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

NO

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

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

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

PLEASURE
.....
.....
.....

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

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

✓
✓
✓

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

NO

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

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

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

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

7. Approximately how wide is the application route?

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

3 METRES.
.....
.....
.....

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

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

GRAVEL-TARMAC
.....
.....
.....

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

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

..... No

.....

.....

How long were they in place?

.....

.....

.....

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

..... No

.....

.....

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

..... BOWARDS

.....

.....

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

☒ No

☐ Yes

If yes, please give details

.....

.....

.....

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

☒ No

☐ Yes

☐ Don't know

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

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

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

☐ No

☒ Yes

If yes, please provide any additional information about this

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

Land Ownership

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

☒ No

☐ Yes

If yes, provide details and dates

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

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

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

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

☒ No

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

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

.....

.....

.....

Other Information

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

☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

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

[Continue on a separate sheet if necessary]

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

.....

.....

.....

.....

.....

.....

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

☒ Yes

☐ No

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

☒ Yes

☐ No



Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name here IAN DAVID ROBERTS

Your: Home Telephone Number 01524 64830

Mobile Telephone Number

Email Address iandproberts@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: I. D. Roberts

Date: 21st SEPTEMBER 2017

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name IAN ROBERTS

Address 12, SHARPES AVENUE, LANCASTER,
LANCASHIRE. LA1 4DL.

Postcode LA1 4DL

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]

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.)

ALDCLIFFE HALL ~~LANE~~ DRIVE IS A MADE-UP TARMACADAM ROAD CONNECTING ALDCLIFFE ROAD (AT N.G.R. 469604) TO RAILWAY CROSSING LANE (AT N.G.R. 466602). THE N.W. "HALF" IS A TRADITIONAL RURAL LANE ENTERED BETWEEN GATE POSTS. AFTER THE TWO CONCRETE BOLLARDS (AT N.G.R. 467603) IT SERVES A RESIDENTIAL DEVELOPMENT BEFORE CONNECTING TO RAILWAY CROSSING 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

- In which years did you use the application route?

From 1990 To 2017

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

.....

.....

.....

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

RUNNER AND CYCLIST	Daily	Weekly	Monthly	Every few months	Once a year	Other (please
--------------------------	-------	--------	---------	---------------------	----------------	------------------

ON AVERAGE
SINCE 1990

						describe)
On foot (RUNNING)					ON AVERAGE ONCE/YEAR SINCE 1990	
On horseback						
By pedal cycle					AVERAGE OF ONCE PER YEAR SINCE 2005	AVOIDS STEEP JUNCTION OF RAILWAY CROSSING LANE WITH ABCLIFFE ROAD.
By car						
Other [please specify]						

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

PLEASURE
.....
.....
.....

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

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

.....

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

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

.....

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

7. Approximately how wide is the application route?

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

N.E. OF BOLLARDS, APPROX. 8 feet - 10 feet WIDE

S.W. OF BOLLARDS, APPROX. 15 feet WIDE

AT BOLLARDS (x2), APPROX. 6 feet WIDE - COULD BE NEGOTIATED BY MOTORCYCLE?

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

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

TARMACADAM.

.....

.....

.....

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

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

NO

.....

.....

.....

How long were they in place?

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

NO

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

TWO BOLLARDS AT NGR 467603 (APPROX.) WHERE THE ROUTE IS APPROX. 6 FEET WIDE – WOULD ALLOW THE PASSAGE OF A PEDESTRIAN, CYCLIST, EQUESTRIAN AND MOTOR CYCLIST. AS FAR AS I AM AWARE – THEY HAVE BEEN IN SITU "FOREVER"

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

☒ No

☐ Yes

If yes, please give details

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

☒ No

☐ Yes

☐ Don't know

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

on your map

.....

.....

.....

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

- ☐ No
- ☒ Yes

If yes, please provide any additional information about this

WALKERS AND CYCLISTS.

.....

.....

.....

Land Ownership

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

- ☒ No
- ☐ Yes

If yes, provide details and dates

.....

.....

.....

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

- ☒ No
- ☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

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

☒ No

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

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

.....

.....

.....

Other Information

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

☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

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

[Continue on a separate sheet if necessary]

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

USE OF THIS ROUTE ALLOWS PEDESTRIANS^{AND CYCLISTS} TO AVOID
A NARROW SECTION OF ALDCLIFFE ROAD THAT HAS NO
PAVEMENT. THE ROAD (ALDCLIFFE ROAD) APPEARS TO
BE USED AS A "RAT RUN" BY MOTORISTS CONNECTING
BETWEEN ASHTON ROAD AND THE DALLAS ROAD AREA
OF LANCASTER, MANY OF WHO APPEAR TO BE IN
A HURRY.

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



All Technology © Copyright: Streetmap.co.uk/Streetmap EU Ltd 2016
This site includes mapping data licenced from Open Street Map, Ordnance Survey & Bartholomew.

☒ Landscape
☐ Print



Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

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

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

Please print your name here Tracey Hall

Your: Home Telephone Number

Mobile Telephone Number 07983461226

Email Address tracey.hall61@icloud.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: Tracey Hall

Date: 1-9-17

You should keep a copy of the completed statement

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

Information on this page of the Statement will be redacted and not made publically available
PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

Tracey + Nancan Hall

Address

3 Home Farm

Addcliffe

Lancaster

Postcode

LA1 5AX

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]

LA1 5AX - 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.)

MAP OF THE APPLICATION ROUTE

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

YOUR USE OF THE APPLICATION ROUTE

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

From To

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

No.

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

Daily Weekly Monthly Every few Once a Other
months year (please
describe)

On foot

2/day.

On horseback

By pedal cycle

By car

Other [please specify]

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

Pleasure

Route from Aldcliffe into Lancaster. Only
(safe) route available to avoid busy main road i.e.
Aldcliffe Rd.

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

(a) on foot ✓

(b) on horseback

(c) on bicycle/horse-drawn vehicle ✓

(d) with motorised vehicle ✓

(e) other, please specify

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

YES

NO

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

.....

.....

.....

.....

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

Yes

Don't know

No

If no – how and when was the route altered?

.....

.....

.....

7. Approximately how wide is the application route?

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

.....

.....

.....

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

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

.....

.....

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

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

Not known

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

localists, cyclists, vehicular access.
families, bird-watchers.

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?

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)

Yes

No

10

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 sheet, 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?



Tim Dant <tim.dant@gmail.com>

Fwd: Re: Aldcliffe Hall Drive

Mollie Foxall <mollie.foxall@gmail.com>

10 August 2017 at 17:54

To: Tim Dant <tim.dant@gmail.com>, Stephen Dickinson <s.dickinson@myphone.coop>

On 10 Aug 2017 2:25 p.m., "Lew, Adina" <a.r.lew@lancaster.ac.uk> wrote:
Dear Mollie,

This is just to say that I have been living in Lancaster since 2001, and regularly using the the Drive for walking and cycling between the estuary and canal. My husband, Tim Hamilton-Cox has been doing the same since 1992. He finds the bats flitting there in the twilight particularly special. We saw the request for people who use the Drive to write to your group, stating its use; we very much support your campaign.

With best wishes,

Dina

29 Alderman Rd
Lancaster
LA1 5FW



LCC User Evidence Statement

Lew, Adina <a.r.lew@lancaster.ac.uk>

25 August 2017 at 16:26

To: "Tim.Dant@gmail.com" <Tim.Dant@gmail.com>

Cc: thc1 <timhc@gmx.com>

Hi Tim - thank you for doing all this work on registering this route. Best, Dina



LCC User Evidence StatementARL&THC.docx
400K

Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name here ...A R Lew.....

Your: Home Telephone Number01524 34223.....

Mobile Telephone Number ...0781 6545491.....

Email Addressa.r.lew@lancaster.ac.uk.....

Statement of Truth

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

Your Signature: Adina Lew

Date: 24th August 2017

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name...Adina

Lew.....

Address 29 Alderman Rd, Lancaster, LA1 5FW

.....Postcode ...LA1 5FW..

Year of Birth1965.....

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

.....Between 2001-2003 resided in Sizergh Court,
Lancaster.....
.....

ABOUT THE APPLICATION ROUTE

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

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

2. Describe the application route.

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

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".
- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

.....There is a tarmacked path that connects Aldcliffe Rd to Aldcliffe Hall
Lane.....

.....

.....

.....

MAP OF THE APPLICATION ROUTE

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

YOUR USE OF THE APPLICATION ROUTE

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

From2001..... To
2017.....

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

.....2003-2007 Small child with special needs so limited leisure use during that phase of parenthood.....

.....

.....

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

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
--	-------	--------	---------	------------------	-------------	-------------------------

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

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

.....Some pleasure – also scenic route into town and to appointments in Morecambe. Taking visitors to the area to do the walk or cycle encompassing the Aqueduct over the Lune – a circuit that has real wow value. A family of close friends that live in the Midlands now come to Lancaster for 1 week's holiday every year, they have grown so fond of the place, and regard it as their hidden treasure.

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

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

.....

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

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

.....

.....

.....

.....

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

Yes

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']

.....Car
width.....

.....

.....

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

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

.....Tarmack.....

.....

.....

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

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

.....No.....

.....

.....

How long were they in place?

.....

.....

.....

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

.....

.....

.....

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

.....Bollards.....

.....

.....

.....

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

☐ No

.....

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

☐ No

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

.....

.....

.....

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

☐ Yes

If yes, please provide any additional information about this

.....Many users – both access and walking or biking onto the estuary cycle
way.....

.....

.....

Land Ownership

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

☐ No

If yes, provide details and dates

.....

.....

.....

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

☐ No

If yes,

a. From whom?

.....

b. When?

.....

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

☐ No

If yes, by whom and when?

.....

.....

.....

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

☐ No

If yes, please give details including when this happened

.....

.....

.....

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

☐ No

If yes, please give details including when this happened

.....

.....

.....

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

☐ No

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

.....

.....

.....

Other Information

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

☐ No

If yes – please provide details

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

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

.....

.....It seems a very straightforward case of a right of way.....

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

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

☐ Yes

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

☐ Yes

☐



Tim Dant <tim.dant@gmail.com>

LCC User Evidence Statement

Abi Mills <childminderabi@gmail.com>

22 September 2017 at 18:48

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

Hi Tim,

Is this okay?

Abi



LCC User Evidence Statement.docx

913K

Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name here Cllr Abi Mills.....

Your: Home Telephone Number 01524 389069.....

Mobile Telephone Number 07811763266.....

Email Address amills@lancaster.gov.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: *Abi Mills*

Date: 22.9.17

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name ...Cllr Abi Mills.....

Address 27 Cheltenham Road, Lancaster

.....

.....Postcode LA1 4SZ.....

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]

.....No

.....

ABOUT THE APPLICATION ROUTE

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

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

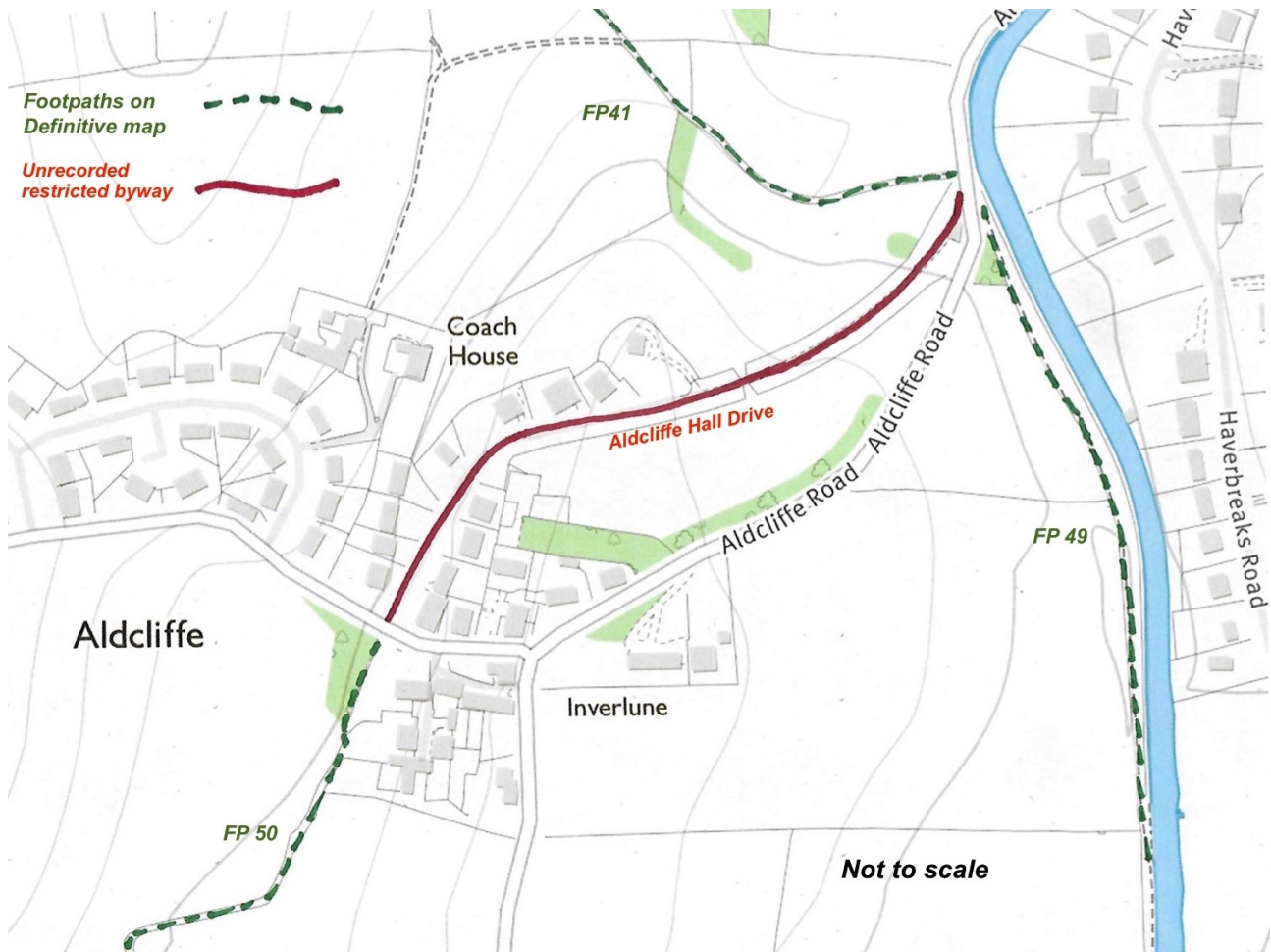
2. Describe the application route.

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

- ☐ e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".
- ☐ e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- ☐ e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)
- ☐ **...Aldcliffe Hall Drive is 0.27 miles long (435 metres), runs between Aldcliffe Road and Aldcliffe Hall Lane and links the established footpaths FP41, FP49 and FP50**

MAP OF THE APPLICATION ROUTE

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



YOUR USE OF THE APPLICATION ROUTE

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

From 2004..... 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?

.....

.....

.....

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

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

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

.....Cycling for pleasure with my family

.....

.....

.....

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

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

.....

.....

.....

7. Approximately how wide is the application route?

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

.....

.....

.....

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

.....

.....

.....

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

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

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

If yes, please give details

.....

.....

.....

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

☐ No

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

.....

.....

.....

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

☐ Yes

If yes, please provide any additional information about this

.....walking and cycling

.....

.....

Land Ownership

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

☐ No

If yes, provide details and dates

.....

.....

.....

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

☐ No

If yes,

a. From whom?

.....

b. When?

.....

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

☐ No

If yes, by whom and when?

.....

.....

.....

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

☐ No

If yes, please give details including when this happened

.....

.....

.....

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

☐ No

If yes, please give details including when this happened

.....

.....

.....

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

☐ No

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

.....

.....

.....

Other Information

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

☐ No

If yes – please provide details

.....

.....

.....

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

.....

.....

.....

.....

.....

.....

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

☐ Yes

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

☐ Yes



Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name here NICHOLAS HALL

Your: Home Telephone Number

Mobile Telephone Number

Email Address

Statement of Truth

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

Your Signature: NH

Date: 17/09/17

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

NICHOLAS HALL

Address

63 REGENT STREET
LANCASTER

Postcode LA1 154

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]

Portland Street, Lancaster 1990-1994

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 1980 To 2017

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

No

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

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

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

FOR PLEASURE

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

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

☒
☐
☒
☐

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

☐ NO

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

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]

TARMAK

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]

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

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

..... concrete posts
.....
.....

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

N/A

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

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

☒ No

☐ Yes

If yes, by whom and when?

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

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

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

.....

.....

.....

Other Information

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

☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

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

.....

.....

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

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

☒ Yes

☐ No

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

☒ Yes

☐ No



Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name FRANK FEINBERG

Address LITTLEGARTH

HAVERBREAKS ROAD

LANCASTER

Postcode LA1 5BJ

Year of Birth 05-07-1942

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]

MEADOWSIDE LANCASTER

ABOUT THE APPLICATION ROUTE

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

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

2. Describe the application route.

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

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

ALDCLIFFE HALL DRIVE - Linking Aldcliffe Road
& Aldcliffe Hall Land with concrete bollards
half-way

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

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

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

.....Pleasure.....

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

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

✓
✓

.....

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

✓
☒ YES

☐ NO

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

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

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

No

How long were they in place?

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

No

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

CONCRETE BOLLARDS ASHLAR LUDGE

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

☒ No

☐ Yes

If yes, please give details

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

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

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

☒ No

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

.....

.....

.....

.....

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



Re: Aldcliffe Hall Drive – Public Right of Way evidence

Molly Saso <mksaso@gmail.com>

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

Thank you for making it so straightforward for people to give evidence. Here is my evidence. Good wishes, Molly Saso

LCC User Evidence Statement Saso_.gdoc

1K



Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name hereMary Saso...

Your: Home Telephone Number ...81 3 3792 0551 (Japan)

Mobile Telephone Number ... 07791-831-511

Email Addressmksaso@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: MK Saso

Date: 14th August 2017

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name**Mary Saso**

Address48 Salisbury Road, Lancaster.....

.....PostcodeLA1 5PJ

Year of Birth1951

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]

I have spent part of every year in Japan, where I have been a teacher.

.....

ABOUT THE APPLICATION ROUTE

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

As a footpath (public rights on foot only)

YES 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)

NO As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

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

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".
- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".

- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

....The walking route begins near the canal, south of Lancaster city. Since I want to be able to access the public footpath (FP 50) to the Lune estuary, I like to be able to cut through Aldcliffe Hall Drive. This means that I do not have to walk along the narrow road, but instead can cross it directly to the stile where the footpath begins.

.....

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?

From1999..... To 2017

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

.....

.....

.....

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

	Daily	Weekly	Mont hly	Every few months	Once a year	Other (please describe)
On foot		during the summer		during the winter		
On horseback						

By pedal cycle						
By car						
Other [please specify]						

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

.....**for pleasure and in order to keep healthy through daily walking**.....

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

a) on foot

Y

b) on horseback

Y

(c) on bicycle/horse-drawn vehicle

Y

(d) with motorised vehicle

(e) other, please specify

.....

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

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

.....

.....

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

Yes

Don't know

No

If no – how and when was the route altered?

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

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

.....about 2 metres
.....

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

...mostly tarmac
.....

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?

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

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

There is an open gateway
.....

- 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")

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 as well as residents**.....

Land Ownership

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

No

If yes, provide details and dates

.....

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

No

If yes,

a. From whom?

.....

b. When?

.....

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

No

If yes, by whom and when?

.....

.....

.....

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

No

If yes, please give details including when this happened

.....

.....

.....

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

No

If yes, please give details including when this happened

.....

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

No

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

.....

.....

.....

Other Information

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

No

If yes – please provide details

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

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

[Continue on a separate sheet if necessary]

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

.....
.....

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

Yes

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

Yes



Tim Dant <tim.dant@gmail.com>

Re: Aldcliffe Hall Drive – Public Right of Way evidence

Sue Pope <sa.pope@yahoo.co.uk>
Reply-To: Sue Pope <sa.pope@yahoo.co.uk>
To: Tim Dant <tim.dant@gmail.com>

14 August 2017 at 13:28

Dear Tim

Thank you for the work you are doing on this. Residents will need to be able to drive along the road - if it is made a byway will they continue to be able to do so?

I have completed the form but was unable to add ticks in all the right places so have used yellow highlighting - hope this works for you
Thanks again

Sue

From: Tim Dant <tim.dant@gmail.com>
To: Tim Dant <tim.dant@gmail.com>
Cc: Stephen Dickinson <s.dickinson@myphone.coop>; Mollie <Mollie.Foxall@gmail.com>; Colin Rogers <colingrogers@btinternet.com>
Sent: Sunday, 13 August 2017, 16:52
Subject: Aldcliffe Hall Drive – Public Right of Way evidence

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

Attached is the standard form used by LCC for gathering evidence relating to applications for a PROW. The form is rather daunting! You only need to respond to questions that are relevant but please give as much detail as you feel able to. It is attached in three formats – Word, PDF and Open Document – but each is exactly the same, so please use whichever is easiest for you. You can complete it electronically or print it and write on it. If you would like a printed copy we will post or deliver one (make sure we have your address) and if you would prefer one of us to help you to complete the form by asking you the questions as in an interview, do let us know. Please return the form by email to Tim.Dant@gmail.com or by post to Tim Dant, Shorefield, Aldcliffe Hall Drive, Aldcliffe LA1 5BG. The forms will initially be presented to the Parish Council and if they feel there is sufficient evidence, they will be submitted together with an application for the PROW to Lancashire County Council. The members of the group gathering evidence for Aldcliffe-with-Stodday Parish Council are Tim Dant, Mollie Foxall, Stephen Dickinson and Colin Rogers.

(tim.dant@gmail.com; mollie.foxall@gmail.com; s.dickinson@myphone.coop; colingrogers@btinternet.com).

--

Tim Dant
Lancaster



Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name here ...Sue Pope.....

Your: Home Telephone Number01524 62217.....

Mobile Telephone Number07912 999 108.....

Email Addresssa.pope@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: *S.Pope*

Date: 14/08/2017

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

NameSue Pope.....

Address22 Marlton Way.....

.....Lancaster.....

.....

.....Postcode ...LA1 5BW.....

Year of Birth1959.....

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.)

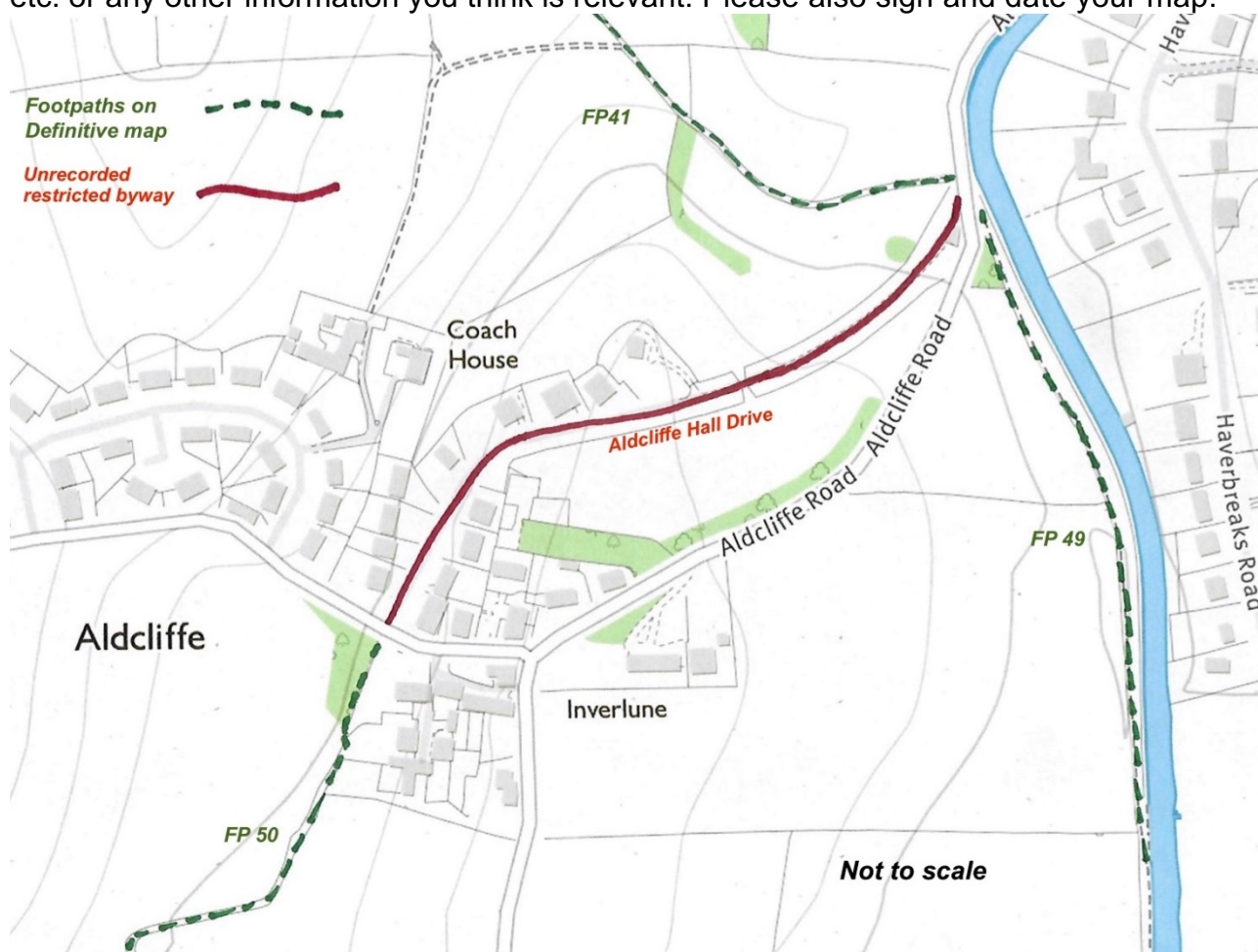
Aldcliffe Hall Drive is 0.27 miles long (435 metres), runs between Aldcliffe Road and Aldcliffe Hall Lane and links the established footpaths FP41, FP49 and FP50

.....

.....

MAP OF THE APPLICATION ROUTE

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



YOUR USE OF THE APPLICATION ROUTE

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

From ...2002..... To2017.....

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

.....No.....

.....

.....

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

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

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

.....For pleasure, it is much safer than Aldcliffe Lane.....

.....

.....

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**

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']

.....Comfortable for a car and larger vehicle e.g. it has been used by builders to deliver materials to the housing development on the South side.

.....

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

.....Tarmac.....
.....
.....

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

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

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

How long were they in place?

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

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

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

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

.....Bollards at the top to stop any through traffic. They have been there as long as I have been using the route.....
.....

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

It is rare not to see others using Aldcliffe Hall Lane as a footpath, it is much safer than walking by the roadside on Aldcliffe 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

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☐ No

☐ ~~Yes~~

If yes, please give details including when this happened

.....

.....

.....

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

☐ No

☐ ~~Yes~~

If yes, please give details including when this happened

.....

.....

.....

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

☐ No

☐ ~~Yes~~

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

.....

.....

.....

Other Information

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

☐ No

☐ ~~Yes~~

If yes – please provide details

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

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

This is a popular and safer route, regularly used by pedestrians and occasionally by cyclists. It is important that the common practice of using this route continues. The small housing development on the south side, will increase the traffic to Aldcliffe, potentially making the need for this route even more important.

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

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

ABOUT YOU

Name

MARTIN DILLON

Address

26 COVERDALE ROAD
LANCASTER

Postcode

M1 5LZ

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]

PORTLAND STREET, LANCASTER 2000-2011
REDYERS STREET, LANCASTER 2011-2013

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".



Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name here MARTIN DILLON

Your: Home Telephone Number 07887352894

Mobile Telephone Number

Email Address nitrampollid@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: Martin Dillon

Date: 12/9/17

You should keep a copy of the completed statement

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

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

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

ALDCLIFFE HALL DRIVE

MAP OF THE APPLICATION ROUTE

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

YOUR USE OF THE APPLICATION ROUTE

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

From 1994 To 2017 (present)

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

2000 - 2001 - didn't live in Lancaster

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

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

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

Pleasure - access to cycle track to Gilasson Dock
walking, cycling, running

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's a single track, I'm not going to measure 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]

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]

.....

.....

.....

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

It is the only connection between established footpaths
FP41, 49 and 50

.....

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]

See 19 it is vital for public access to the local
countryside

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

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

☒ Yes

☐ No

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

☒ Yes

☐ No

Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name here: Claire Dickinson

Your: Home Telephone Number : 01524 849983

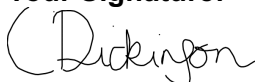
Mobile Telephone Number: NA

Email Address: claiремmd2017@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: 26th August 2017

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name: Claire Dickinson

Address: 3 Cottage Farm, Aldcliffe, Lancaster LA1 5AR

Year of Birth: 1974

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

If so, please provide details and years [full addresses are not required]

Lived in Aldcliffe for ~3 years

Previously to this lived in Rays Drive, Scotforth for 8 years.

Prior to that lived in Larchwood, Hala.

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 full length of Aldcliffe Hall Drive as marked on the attached map.

MAP OF THE APPLICATION ROUTE

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

YOUR USE OF THE APPLICATION ROUTE

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

From 1994 to the present

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

Between 1994 and 2006 I used this route only very occasionally, around once or twice a year.

Between 2006 and 2014 I used the route I used the route more often but still only occasionally.

Since moving to Aldcliffe in July 2014 I use the route several times a week, particularly when walking our children to and from school.

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

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot						4 – 5 times a week both directions
On horseback						
By pedal cycle						
By car						
Other [please specify]						

--	--	--	--	--	--	--

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

For walking children to and from school, for travelling into Lancaster and 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

☐

The houses on the drive use the drive for access by car.

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)

NA

.....

.....

.....

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

NA

.....

.....

8. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the

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

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

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

The path is surfaced with Tarmac.

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

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

No stiles
.....
.....

How long were they in place?

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

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

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

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

Concrete Bollards near the top of the hill
.....

.....

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

☒ No

☐ Yes

If yes, please give details

NA.....

.....

.....

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

☒ No

☐ Yes

☐ Don't know

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

NA

.....

.....

13. 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 and families out for a walk, joggers, cyclists, dog walkers, commuters

.....

.....

Land Ownership

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

☒ No

☐ Yes

If yes, provide details and dates

NA

.....

.....

15. 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? NA

b. When? NA

.....

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

☒ No

☐ Yes

If yes, by whom and when?

NA

.....

.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

NA

.....

.....

18. 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

NA

.....

.....

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

☒ No

☐ Yes

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

NA

.....

Other Information

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

☒ No

☐ Yes

If yes – please provide details

NA

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

[Continue on a separate sheet if necessary]

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

1. This path is the only safe route for Aldcliffe residents travelling to and from Lancaster by foot or cycle. Without this path, I would be unable to walk my children to and from school.
2. This path is used by many cyclists, walkers and joggers from Lancaster and forms an essential link to other connecting paths which form a circuit.
3. The path is used by many to gain safe access to the river side path (via Aldcliffe Hall lane) for activities such as bird watching.

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

☒ Yes

☐ No

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

☒ Yes

☐ No



Tim Dant <tim.dant@gmail.com>

Fwd: aldcliffe hall drive

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

28 August 2017 at 14:11

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

From: "Ruth Davies" <ruth-davies@hotmail.co.uk>

Date: 28 Aug 2017 12:59 p.m.

Subject: aldcliffe hall drive

To: "Mollie.Foxall@gmail.com" <Mollie.Foxall@gmail.com>, "S.Dickinson@myphone.coop" <S.Dickinson@myphone.coop>

Cc:

Hi

I am a regular user of Aldcliffe Hall drive and have been for 20+ years, it is important as it links the canal (traffic free) with the river cycle track (traffic free).

It was a safe, traffic free route to use when my children were young.

I use it now mostly as a runner- again, being free of traffic and a pleasant green environment, plus the gradient adds challenge. Although I am not an especially good runner, regular aerobic exercise *in a safe, outdoor, natural environment* is important for my physical and mental health. I therefore consider it a public health issue as much as an environmental one.

Ruth



user evidence statement

Ruth Davies <ruth-davies@hotmail.co.uk>
To: "tim.dant@gmail.com" <tim.dant@gmail.com>

29 August 2017 at 18:35

Hi, here is my completed statement

Ruth



LCC User Evidence Statement.docx

402K

Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Pleas.....RUTH DAVIES.....

Your: Home Telephone Number01524 36908

Mobile Telephone Number

Email Address ruth-davies@hotmail.co.uk

Statement of Truth

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

**Your Signature:
Ruth Davies**

Date:29/8/17

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Ruth
Davies.....
.....

Address34 Regent St
Lancaster.....
.....
.....

.....Postcode LA1 1SQ.

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

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

.....1983-1996, 61 Regent St
Lancaster.....
.....

ABOUT THE APPLICATION ROUTE

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

- ☐ As a footpath (public rights on foot only)
- ☒ X 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 the point where Aldcliffe Road diverges from the canal, going up the hill past the lodge, past the houses then down hill and opening onto the road which goes down to the river.

.....

.....

.....

MAP OF THE APPLICATION ROUTE

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

YOUR USE OF THE APPLICATION ROUTE

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

From 1983 To present

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

No

.....

.....

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

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

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

for pleasure/exercise

.....

.....

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

(a) on foot

☒ x

(b) on horseback

☐

(c) on bicycle/horse-drawn vehicle

☒ x

(d) with motorised vehicle

☐

(e) other, please specify

.....

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

☐

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

.....

.....

.....

.....

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

- ☒ X Yes- to the best of my knowledge
- ☐ 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 guess 4 metres.....

.....

.....

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

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

tarmac

.....

.....

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

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

.....no.....
...

.....
.....

How long were they in place?

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

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

.....no.....
.....
.....

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

Bollards at the top of the hill to prevent cars driving through...

.....
.....

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

☒ X No

☐ Yes

If yes, please give details

.....
.....

.....

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

- ☒ X No
- ☐ Yes
- ☐ Don't know

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

.....

.....

.....

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

- ☐ No
- ☒ X Yes

If yes, please provide any additional information about this

This route is frequently used by people- I would nearly always see someone- all ages- walking/running/cycling- walking dogs or pushing buggies

.....

.....

Land Ownership

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

- ☒ X No
- ☐ Yes

If yes, provide details and dates

.....

.....
.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?
NOT APPLICABLE

- ☐ No
- ☐ Yes

If yes,

a. From whom?
.....

b. When?
.....

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

- ☒ X No
- ☐ Yes

If yes, by whom and when?

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

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

- ☒ X No
- ☐ Yes

If yes, please give details including when this happened

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

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

☒ X No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ X No

☐ Yes

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

.....

.....

.....

Other Information

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

☒ X No

☐ Yes

If yes – please provide details

.....

.....

.....

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

[Continue on a separate sheet if necessary]

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

This route connects various other paths all of which are either traffic free or low traffic and therefore are especially suited for running/walking/cycling and use by families with children.

It therefore facilitates exercise in a natural environment, an important public health issue.

.....
.....

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

☒ X Yes

☐ No

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

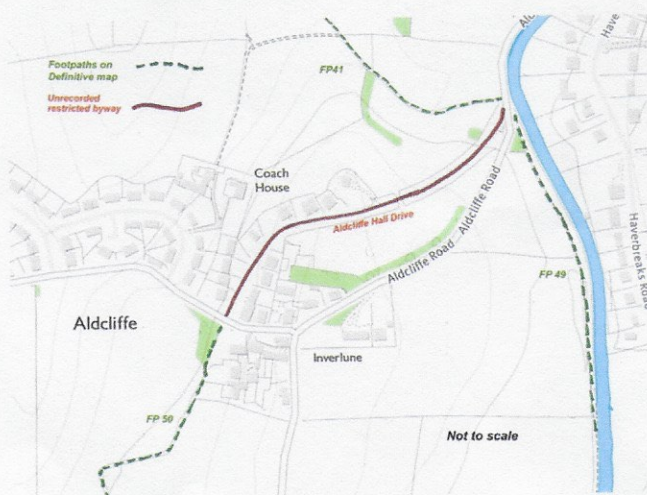
☒ X Yes- maybe- depending on time and place

☐ No

Aldcliffe Hall Drive – Public Right of Way evidence

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

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



Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name here BERND SCHULZE

Your: Home Telephone Number 01524 842776

Mobile Telephone Number /

Email Address wukrishna@hotmail.com

Statement of Truth

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

Your Signature: Bernd Schulze

Date: 23.8.2017

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

BERND SCHULZE

Address

RIVER VIEW

ALDCLIFFE HALL DRIVE

Postcode

LA1 5BG

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]

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.)

It starts at the corner of Aldcliffe Hall Lane and Aldcliffe Hall Drive.

It follows Aldcliffe Hall Drive, passing the houses River View, Shorefield, McKee, etc

It then makes a slight right turn through the ballards and then

through a gate (which is always open) down to the canal. It ends at the old gatehouse, where the route meets Aldcliffe Road.

MAP OF THE APPLICATION ROUTE

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

YOUR USE OF THE APPLICATION ROUTE

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

From 2015 To now

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

No

.....

.....

.....

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

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

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

..... pleasure ; going from our house into town

.....

.....

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

(a) on foot

(b) on horseback

(c) on bicycle/horse-drawn vehicle

(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']

.....
from the corner Aldcliffe Hall Lane & Aldcliffe Hall Drive
.....
to the right turn of the route, the overall width is roughly
.....
6 meters. After that it is about 3-4 meters wide.
.....
There are very rough estimates.

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]

.....
paved road
.....
.....

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]

one gate on the way down to the canal.
This gate is always open

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

Two bollards (where the route makes a right turn
down towards the canal). They have always been
there

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

☒ No

☐ Yes

If yes, please give details

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

☒ No

☐ Yes

☐ Don't know

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

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

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

☐ No

☒ Yes

If yes, please provide any additional information about this

.....pedestrians, cyclists frequently use this route.....
.....
.....

Land Ownership

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

☒ No

☐ Yes

If yes, provide details and dates

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

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

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

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

☒ No

☐ Yes

If yes, by whom and when?

.....

.....

.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

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

.....

.....

.....

Other Information

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

☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

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

.....

.....

.....

.....

.....

.....

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

☒ Yes

☐ No

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

☐ Yes

☒ No



Tim Dant <tim.dant@gmail.com>

Aldcliffe Hall Drive

CTJ Dodson <ctjdodson@gmail.com>

1 September 2017 at 10:17

To: christopher-norman@hotmail.com, Tim.Dant@gmail.com

Thanks for pursuing this PROW application.

Form attached.

Kit

PS Does the PC have a webpage, where it could lodge Minutes and other documents?

Prof CTJ Dodson ctjdodson@gmail.com
<http://www.maths.manchester.ac.uk/~kd/homepage/>



LCC User Evidence StatementDodson.docx
452K

Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Professor Christopher TJ Dodson

Please print your name here

01524596343

Your: Home Telephone Number

Mobile Telephone Number

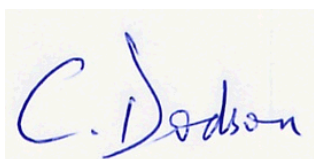
ctdodson@manchester.ac.uk

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:



Date: 1 September 2017

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Professor CTJ Dodson.....

9 Craiglands Court, Aldcliffe Lancaster

.....

.....

.....Postcode LA1 5AU

Year of Birth 1941.....

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

Yes: Burton in Lonsdale 1983-89 and 1996-2014, Morecambe and Didsbury 1995-1996,
Toronto 1989-1995

ABOUT THE APPLICATION ROUTE

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

☐ As a footpath (public rights on foot only)

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

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

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

2. Describe the application route.

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

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".
- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".

- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

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

MAP OF THE APPLICATION ROUTE



YOUR USE OF THE APPLICATION ROUTE

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

From 1992 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?

Yes, during 1989-1995 it was used only during visits to our daughter and family in Aldcliffe

.....

.....

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

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

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

Pleasure and for shopping in Lancaster

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

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

*Motorised wheelchair

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?

- X Yes
- ☐ Don't know
- ☐ No

If no – how and when was the route altered?

.....

.....

.....

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

About 5 metres 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

.....

.....

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]

None

.....
.....

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

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

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

☒ No

☐ Yes

If yes, please give details

.....

.....
.....

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

☒ No

☐ Yes

☐ Don’t know

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

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

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

☐ No

☒ Yes

If yes, please provide any additional information about this

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

Land Ownership

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

☒ No

☐ Yes

If yes, provide details and dates

.....

.....
.....

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

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

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

☒ No

☐ Yes

If yes, by whom and when?

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

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

☒ No

☐ Yes

If yes, please give details including when this happened

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

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

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

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

☒ No

☐ Yes

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

.....

.....

.....

Other Information

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

☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

20. Please give any further information which you consider would be helpful in reaching a

decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

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

.....

.....

.....

.....

.....

.....

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

☒ Yes

☐ No

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

☒ Yes

☐ No



Tim Dant <tim.dant@gmail.com>

Re: Aldcliffe Hall Drive – Public Right of Way evidence

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

3 September 2017 at 17:38

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

Cheers
John & Jacqui

2 attachments



John Rollins LCC User Evidence Statement.docx
410K



Jacqui Rollins LCC User Evidence Statement.docx
410K

Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name here **Jacqui A Rollins.**

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

Mobile Telephone Number

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

Statement of Truth

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

Your Signature: J A Rollins

Date: **03/09/17**

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name **Jacqui A Rollins**

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

Year of **Birth 1944**

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

No resident at address above for 39 years.

ABOUT THE APPLICATION ROUTE

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

Yes As a footpath (public rights on foot only)

With rights for bicycles but not horses.

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

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

No As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

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

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".
- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

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

MAP OF THE APPLICATION ROUTE

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

YOUR USE OF THE APPLICATION ROUTE

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

From ...1978. To present day – continuous use.

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

.....**No.**

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

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	Yes					
On horseback	No					
By pedal cycle	No			Yes		
By car	No					
Other [please specify]	No					

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

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

.....

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

(a) on foot

☐

Yes

(b) on horseback

☐

(c) on bicycle/horse-drawn vehicle

☐

Bicycle not horses

(d) with motorised vehicle

☐

(e) other, please specify

.....

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

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

.....

.....

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

☐ **Yes**

If no – how and when was the route altered?

7. Approximately how wide is the application route?

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

Don't know.

.....

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

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

Mostly surfaced.

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

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

...**No.**

.....
.....

How long were they in place?

.....

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

...**No.**

.....

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

...**No barriers to pedestrians.**

.....

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

☐ **No**

If yes, please give details

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

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

☐ **No**

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

.....
.....

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

☐ **Yes**

If yes, please provide any additional information about this

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

Land Ownership

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

☐ **No**

If yes, provide details and dates

.....
.....

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

☐ **No**

a.

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

☐ **No**

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

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

☐ **No**

If yes, please give details including when this happened

.....

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

☐ **No**

If yes, please give details including when this happened

.....

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

☐ No

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

.....

.....

.....

Other Information

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

☐ No

.....

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

[Continue on a separate sheet if necessary]

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

There is no alternative route for pedestrians. This is particularly difficult for people with pushchairs/prams. Aldcliffe Road, which by-passes the estate, is narrow with blind corners on a hill with no room for pedestrians and is therefore dangerous to walk on particularly as it is a well-used commuter route.

.....

.....

.....

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

☐ **Yes**

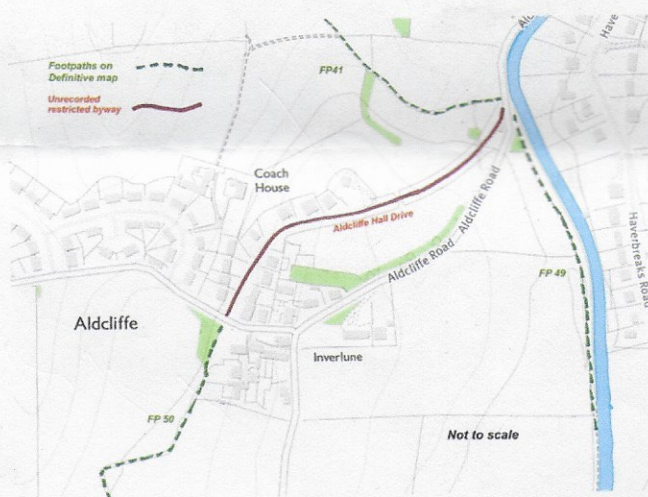
22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☐ **No**

Aldcliffe Hall Drive – Public Right of Way evidence

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

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





Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name here CHRISTINE SIMPSON

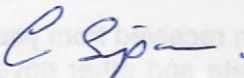
Your: Home Telephone Number 01524 33410

Mobile Telephone Number 07941477274

Email Address chris@lancaster.me.uk

Statement of Truth

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

Your Signature: 

Date:

You should keep a copy of the completed statement

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

CHRISTINE SIMPSON

Address

11 REGENT ST

LANCASTER

Postcode LA1 1SQ

Year of Birth

17.05.1957

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]

52 PORTLAND ST ^{LA1 1SY} ~~1980~~ 1980-1986

11 REGENT ST 1986 - PRESENT (CURRENT)

ABOUT THE APPLICATION ROUTE

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

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

2. Describe the application route.

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

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

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

ALDCLIFFE MALL DRIVE (SD 46945 60410 to SD46605 60166)

Branches off Aldcliffe Rd on the north side of the Aldcliffe

gatehouse on the Lancaster Canal ^{through gateposts} It passes up between

trees from which there is a romantic view of Lancaster + The

Castle. Then you ~~pass~~ ^{come} into housing on the right - there are
bellhops. Over the crest of the hill you descend into houses,

MAP OF THE APPLICATION ROUTE the road bends left + come out into
Aldcliffe Hall Lane.

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 1976 To Present 2017

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

I ~~lived~~ ^{lived} abroad from 1992-1994, but was
here in the Summer months + went on picnics using
the path.

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

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

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

For pleasure and exercise and blackberrying.
To get to the river + G.lassen. My nephew lived
with us for some years as a child + we often used
it to go for picnics + swimming in the river.
into 1980s

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

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

✓
✓
✓

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

NO

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

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

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

7. Approximately how wide is the application route?

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

About 3 metres ^{wide} east of the bollards, then
widening to become ~~a~~ road once it enters
housing.

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

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

Tarmac

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

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

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

..... No

.....

.....

How long were they in place?

.....

.....

.....

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

..... No

.....

.....

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

..... There are bollards at SD46726 60283

.....

.....

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?

.....

I have ~~not~~ stopped for chats with people gardening (one gentleman is very big on local history). The question of 'permission' did not arise. I got the impression they quite like us really.

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

☐ No

☒ Yes

If yes, by whom and when?

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

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

☒ No

☐ Yes

If yes, please give details including when this happened

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

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

☒ No

☐ Yes

If yes, please give details including when this happened

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

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

☒ No

☐ Yes

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

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

Other Information

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

☐ No

☒ Yes

If yes – please provide details

In my 2000 copy of the Lancaster + Morecambe A-Z
it is an open road. In my Johnsecker 2003 map 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]

It's a safer route for pedestrians and cyclists. Aldcliffe
Rd is narrow with bends + high hedges. It's hard for
traffic to pass. The top of Aldcliffe hall lane is the same, and

both are steep, which makes control difficult for
weaker / younger cyclists. When my young nephew
lived with me from 1981-1986 I felt ^{Aldert Hall Drive} ~~it~~ was a safer route
for him + his friends to cycle to the river.

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

☒ Yes

☐ No

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

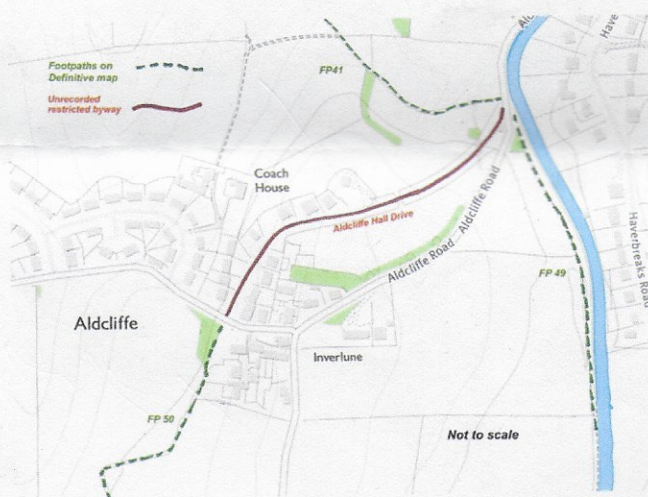
☒ Yes

☐ No

Aldcliffe Hall Drive – Public Right of Way evidence

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

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





Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name here CHRISTINE SIMPSON

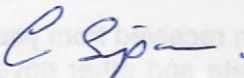
Your: Home Telephone Number 01524 33410

Mobile Telephone Number 07941477274

Email Address chris@lancaster.me.uk

Statement of Truth

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

Your Signature: 

Date:

You should keep a copy of the completed statement

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

CHRISTINE SIMPSON

Address

11 REGENT ST

LANCASTER

Postcode LA1 1SQ

Year of Birth

17.05.1957

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]

52 PORTLAND ST ^{LA1 1SY} ~~1980~~ 1980-1986

11 REGENT ST 1986 - PRESENT (CURRENT)

ABOUT THE APPLICATION ROUTE

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

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

2. Describe the application route.

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

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

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

ALDCLIFFE MALL DRIVE (SD 46945 60410 to SD46605 60166)

Branches off Aldcliffe Rd on the north side of the Aldcliffe
gatehouse on the Lancaster Canal ^{through gateposts} It passes up between
trees from which there is a romantic view of Lancaster + The
Castle. Then you ~~pass~~ ^{come} into housing on the right - there are
bellbirds. Over the crest of the hill you descend into houses,
MAP OF THE APPLICATION ROUTE the road bends left + come out into
Aldcliffe Hall Lane.

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 1976 To Present 2017

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

I ~~was~~ ^{lived} abroad from 1992-1994, but was
here in the Summer months + went on picnics using
the path.

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

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

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

For pleasure and exercise and blackberrying.
To get to the river + G.lassen. My nephew lived
with us for some years as a child + we often used
it to go for picnics + swimming in the river.
into 1980s

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

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

✓
✓
✓

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

NO

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

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

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

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

7. Approximately how wide is the application route?

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

About 3 metres ^{wide} east of the bollards, then
widening to become ~~a~~ road once it enters
housing.

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

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

Tarmac

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

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

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

..... No

.....

.....

How long were they in place?

.....

.....

.....

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

..... No

.....

.....

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

..... There are bollards at SD46726 60283

.....

.....

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?

.....

I have ~~not~~ stopped for chats with people gardening (one gentleman is very big on local history). The question of 'permission' did not arise. I got the impression they quite like us really.

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

☐ No

☒ Yes

If yes, by whom and when?

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

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

☒ No

☐ Yes

If yes, please give details including when this happened

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

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

☒ No

☐ Yes

If yes, please give details including when this happened

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

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

☒ No

☐ Yes

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

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

Other Information

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

☐ No

☒ Yes

If yes – please provide details

In my 2000 copy of the Lancaster + Morecambe A-Z
it is an open road. In my Johnsen 2003 map 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]

It's a safer route for pedestrians and cyclists. Aldcliffe
Rd is narrow with bends + high hedges. It's hard for
traffic to pass. The top of Aldcliffe hall lane is the same, and

both are steep, which makes control difficult for
weaker / younger cyclists. When my young nephew
lived with me from 1981-1986 I felt ^{Aldert Hall Drive} ~~it~~ was a safer route
for him + his friends to cycle to the river.

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

☒ Yes

☐ No

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

☒ Yes

☐ No

Public Right of Way User Evidence Statement

Revised April 2016

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

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

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

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

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

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

Confidentiality – Please Read Carefully

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

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

DECLARATION

Data Protection Act 1998

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

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

Please print your name here RICHARD HITCHINGS

Your: Home Telephone Number 01524 - 64903

Mobile Telephone Number 07724 337 362

Email Address richard.hitchings@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: Richard Hitchings

Date: 21. ix. 2017

You should keep a copy of the completed statement

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

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

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

RICHARD MITCHELLS

Address

102 ALDLIFFE ROAD

LANCASTER

Postcode LA1 5BE

Year of Birth

1951

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

Yes (9 THORNFIELD, LANCASTER) 1988-1999

ABOUT THE APPLICATION ROUTE

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

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

2. Describe the application route.

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

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

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

ALDCLIFFE HALL DRIVE IS 0.27 MILES LONG, RUNS
 BETWEEN ALDCLIFFE ROAD AND ALDCLIFFE HALL LANE
 AND LINKS THE ESTABLISHED FOOTPATHS FP41, FP49
 AND FP50.

MAP OF THE APPLICATION ROUTE

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

YOUR USE OF THE APPLICATION ROUTE

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

From 1988 To PRESENT (2017)

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

NO

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

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

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

PLEASURE, RECREATION AND EXERCISE

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

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

✓
✓
✓
✓

PARTIAL MOTORISED USE

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']

DON'T KNOW

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

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

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

TARMAK

.....
.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

NO

How long were they in place?

N/A

b. Gates [state locations, indicate whether locked – and when - and show on your map]

NO

c. Other barriers [state what they were and location, how long they were in place and show on your map]

BOLLARDS NEAR KSHLAR LODGE

10. Did any of the above prevent you from using the application route?

☒ No

☐ Yes

If yes, please give details

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☒ No

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....
.....
.....

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

MANY OTHER PEDESTRIANS, SOME CYCLISTS AND A
FEW HORSE RIDERS

.....
.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

.....
.....
.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....

.....

.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?
[Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

A LOCKHUFFE HALL DRIVE IS AN IMPORTANT ROUTE FOR
PEDESTRIANS SINCE THE ROAD WHICH MIGHT OTHERWISE

BE USED IS VERY DANGEROUS FOR PEDESTRIANS - NARROW, WITH
NO PAVEMENT. THE PATH PROVIDES WONDERFUL AND UNIQUE VIEWS
OF THE CASTLE, WHICH SHOULD BE FOR THE ENJOYMENT OF THE
GENERAL PUBLIC

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

☐ No



Tim Dant <tim.dant@gmail.com>

Re: Aldcliffe Hall Drive - public right of way

PATRICIA WATERS <patriciaw28@gmail.com>

17 September 2017 at 11:35

To: Tim Dant <tim.dant@gmail.com>

Hello Tim,
Please find attached my completed evidence statement. I hope this is okay.

Thanks,
Pat Waters

Public Right of Way User Evidence Statement

Revised April 2016

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential.

- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

DECLARATION

Data Protection Act 1998

Under the Data Protection Act the OMA has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the OMA's website.

Please print your name hereMrs Pat Waters

Your: Home Telephone Number01524 62164.....

Mobile Telephone Number

Email Addresspatriciaw28@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: 17-09-17

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Information on this page of the Statement will be redacted and not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

NameMrs P Waters.....

AddressGreen Glade, Haverbreaks Road,
Lancaster.....

.....

.....Postcode, LA1 5BJ...

Year of Birth

.....1949.....

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

Aldcliffe Mews, 1977-1986.....

Aldercliffe, Haverbreaks Road, 1986, 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 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 road known as Aldcliffe Hall Drive, from The Lodge on Aldcliffe Road, up the hill on the tarmac lane and back down to meet Aldcliffe Hall Lane

.....

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From ...1977..... To ...Present.....

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

.....No.....

....

.....

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		x				

On horseback						
By pedal cycle				X		
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

.....Previously used route for walking children to school and dog walking.

.....Current use is walking for leisure.....

.....

5. In what way/s have you noticed other people using the route? (Please tick)

(a) on foot ✓

(b) on horseback ✓

(c) on bicycle/horse-drawn vehicle ✓

(d) with motorised vehicle

(e) other, please specify

.....

6. Were they using exactly the same route as you? **YES**

If not please give provide details below: (please attach a separate sheet is necessary)

.....

.....

.....

.....

6. Has the application route always followed the same course?

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

.....

.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

.....

.....

.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

.....Hardstanding (tarmac).....

.....

.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

No.....

.....

.....

How long were they in place?

.....

.....

.....

- b. Gates [state locations, indicate whether locked – and when - and show on your map]

No

.....

.....

.....

- c. Other barriers [state what they were and location, how long they were in place and show on your map]

.....Bollards.....

.....

.....

.....

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

Route is used by lots of people.....

.....

.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

✓No

☐ Yes

If yes, provide details and dates

.....

.....

.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

✓No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....

.....

.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....

.....

.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?
[Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

...We have freely used the route for many years, and there has never been an indication that it was private land and not a public right of way.

.....

.....

.....

.....

.....

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

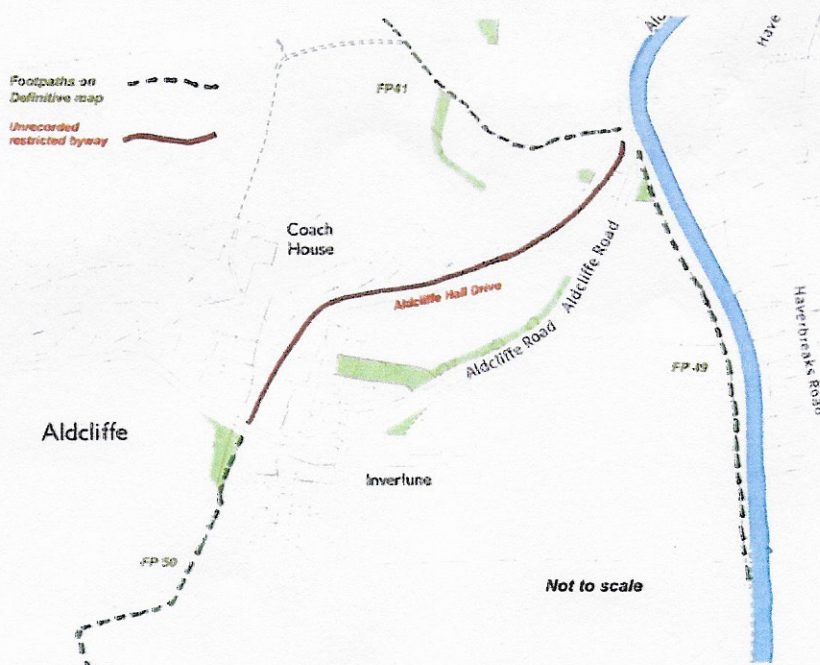
☐ Yes

☒ No

Aldcliffe Hall Drive – Public Right of Way evidence

Thank you for responding to our request for people who have been using Aldcliffe Hall Drive in the Parish of Aldcliffe-with-Stodday, Lancaster over the last 20 years or more. We are hoping to add the Drive to Lancashire County Council's definitive map of Public Rights of Way (PROW) as a 'restricted byway'. Aldcliffe Hall Drive is 0.27 miles long (435 metres), runs between Aldcliffe Road and Aldcliffe Hall Lane and links the established footpaths FP41, FP49 and FP50 (see map below). The Drive is currently a private road providing access to houses although the concrete bollards near Ashlar Lodge prevent it being a through route for vehicles. It does however provide a through route for pedestrians, cyclists, wheelchairs and pushchairs and if it is not added to the official 'definitive map' of PROWs before it is closed in 2026 its status could be lost. Establishing it now as 'restricted byway' on the definitive map would also protect it from changes of status before then.

Attached is the standard form used by LCC for gathering evidence relating to applications for a PROW. The form is rather daunting! You only need to respond to questions that are relevant but please give as much detail as you feel able to. Please return the form by email to Tim.Dant@gmail.com or by post to Tim Dant, Shorefield, Aldcliffe Hall Drive, Aldcliffe LA1 5BG. The forms will initially be presented to the Parish Council and if they feel there is sufficient evidence, they will be submitted together with an application for the PROW to Lancashire County Council. The members of the group gathering evidence for Aldcliffe-with-Stodday Parish Council are Tim Dant, Mollie Foxall, Stephen Dickinson and Colin Rogers. (tim.dant@gmail.com; mollie.foxall@gmail.com; s.dickinson@myphone.coop; colingrogers@btinternet.com).



37 Portland St
Canterbury.

Hello Tim.

I think your email was sent after
I called at your home & collected a form.

However I made rather a mess of the
first form so re wrote on the new form,
but realised some of the questions
were missing.

I have written the answers to them on
a separate sheet of paper

If you decide to submit to Cancasthine
County Council I can refil in a full form!

Laura Booth



Public Right of Way User Evidence Statement

Revised April 2016

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential.

- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

LAURA BOOTH

Address

37 PORTLAND STREET

LANCASTER

Postcode

LA1 1SY

Year of Birth

1958

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

No

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

☐ As a footpath (public rights on foot only)

☒ As a bridleway (public rights on foot and on horseback or bicycle)

or

☒ 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".

Aldcliffe Hall Drive

21st September 2017

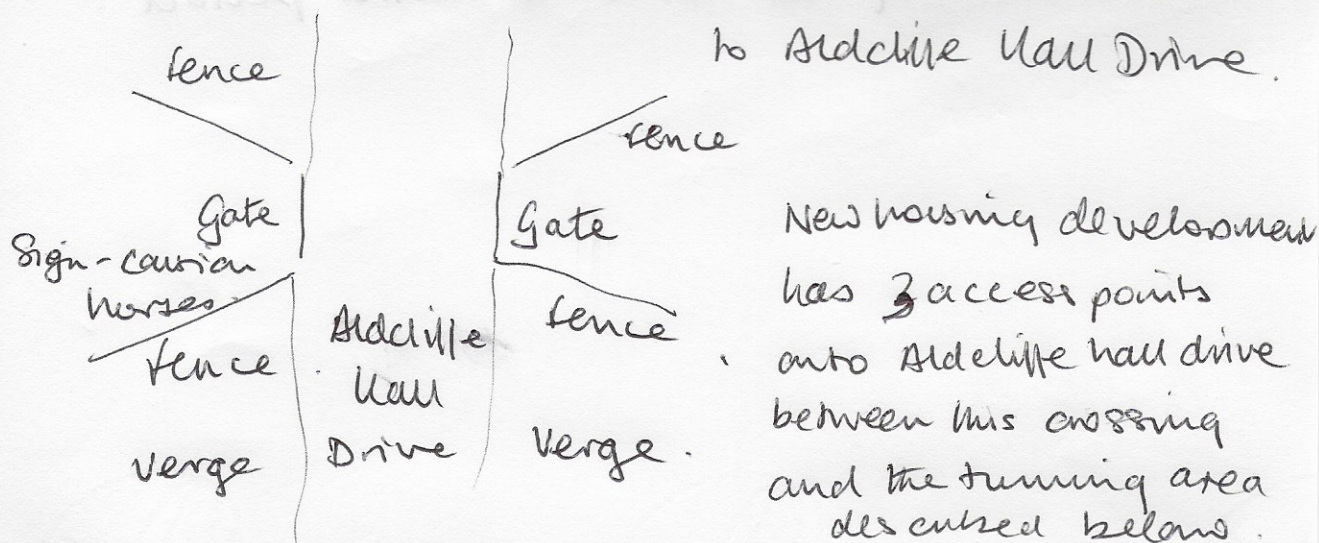


New housing development taking place in area marked NMD.

DESCRIPTION OF APPLICATION ROUTE.

START GR SD 469604 ROAD STARTS BETWEEN TWO OCTAGONAL GATE POSTS ADJACENT TO A GATEHOUSE DATED 1827 AFTER APPROX 40metres it passes a stone pillar(? old land boundary. There is a verge on either side of the road - both sides are planted with mature trees.

After 150 metres approx there is a potential cattle crossing. This does not restrict access to Aldcliffe Hall Drive.



After 250 metres approx there are two concrete bollards & a large shrub which restrict vehicle access

After 350 approx there is a turning area outside silverline and no parking sign.

Finish GR SD 467602. Directly opposite a gate for a public footpath in railway crossing lane

use of application route.

1 from 1985 to 2017.

2. The only extended periods may be over winter in prolonged wet/windy weather unsuitable for cycling. But this would only be a 2-3 month period.

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot				✓		
On horseback						
By pedal cycle						about 50 times a year - but not at regular intervals
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

Pleasure - As part of a cycle route to Glasan Dock.
or as part of a walk down to the shore of the river line.

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

✓
✓
✓

local residents only.

6. Were they using exactly the same route as you?

☒ YES

☐ NO

If not please give provide details below: (please attach a separate sheet is necessary)

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

No

How long were they in place?

b. Gates [state locations, indicate whether locked – and when - and show on your map]

2 gates either side of drain at cattle crossing. I have never seen these across the drain restricting access.

c. Other barriers [state what they were and location, how long they were in place and show on your map]

There was a gate near the gate house lodge but this is no longer in place.

2 concrete bollards restrict vehicle access but not pedestrian or cycle use.

10. Did any of the above prevent you from using the application route?

☒ No

☐ Yes

If yes, please give details

6/ Come application route.

Yes. Same course.

7/ width.

Approx 3-4 metres wide.

8/ Surface.

Old tarmac.

11/ No keep out signs.

12/ Yes.

many people walking along this route.
many other cyclists.

recently many workmen in vans at new
building development.

13/ No.

18/ No.

19 No.

20/ ADOCKWRE MAN DRIVE

Use of this route increases the safety of both cyclists and pedestrians passing between Aldcliffe village and Lancaster canal.

The alternative road Adockwre road has no pavement, no street lighting, has a sharp bend with poor visibility and is dangerous for cyclists and pedestrians.

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....

.....

.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

.....
.....
.....
.....

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

☒ No



Tim Dant <tim.dant@gmail.com>

Aldcliffe Hall Drive

Susan Yamada <yamada.susan@gmail.com>

15 August 2017 at 08:20

To: Tim.Dant@gmail.com

Dear Tim,

Thank you for organising this. I do enjoy the footpaths and routes around Lancaster for the month or so every year, when I am living there (I work overseas).

Best wishes

Susan Yamada



LCC User Evidence Statement (Susan Yamada).docx
312K

Public Right of Way User Evidence Statement

Revised April 2016

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential.

- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

DECLARATION

Data Protection Act 1998

Under the Data Protection Act the OMA has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the OMA's website.

Please print your name here: Susan Yamada

Your: Home Telephone Number : 81-45-593-2103

Mobile Telephone Number : 075-999-16172

Email Address : yamada.susan@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: x (SE Yamada)

Date: August 15th 2017

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Information on this page of the Statement will be redacted and not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

NameSusan Yamada

Address48 Salisbury Rd, LANCASTER...

Postcode ...LA1 5PJ

Year of Birth1951.....

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]

.....2007 - 2017, 3-37-38, Takata Nishi, Kouhoku ku, Yokohama JAPAN 223-0016...

for part of every year

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 near the canal, south of Lancaster. I want to be able to access the public footpath (FP 50) to the Lune estuary and a good route is through Aldcliffe Hall Drive. Therefore I can cross the narrow road, instead of walking along it, and get directly to the stile where the footpath begins.

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?

From2007..... To 2017

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot				✓		
On horseback						

By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

.....

for pleasure and fitness

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 ☐

If not please give provide details below: (please attach a separate sheet is necessary)

.....

.....

6. Has the application route always followed the same course?

☐ Yes

☒ Don't know

☐ No

If no – how and when was the route altered?

7. Approximately how wide is the application route?
[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

.....about two meters.....

8. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

.....tarmac...

9. Have there ever been any of the following on the application route?

- a. Stiles [state locations and show on your map]

...No.....

.....

How long were they in place?

.....

.....

.....

- b. Gates [state locations, indicate whether locked – and when - and show on your map]

No

...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 and local residents

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

- ☐
- ☒ No
- ☐ Yes

If yes, provide details and dates

.....

.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

- ☐
- ☒ No

☐ Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☐

☒ No

☐ Yes

If yes, by whom and when?

.....

.....

.....

16. Have you ever been stopped or turned back when using the application route?

☐

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

17. Has anyone else ever told you that they were prevented from using the application route?

☐

☐ ☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☐

☐ ☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....

.....

.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☐

☐ ☒ No

☐ Yes

If yes – please provide details

.....

.....

.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

.....

.....

.....

.....

.....

.....

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☐

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☐

☒ Yes

☐ No



Tim Dant <tim.dant@gmail.com>

RE: Aldcliffe Hall Drive – Public Right of Way evidence

andy brown <ajbandjmbrown@hotmail.com>
To: Tim Dant <tim.dant@gmail.com>

30 August 2017 at 21:18

Hi Tim

Please see attached

I struggled editing the doc so have largely used yellow highlights – should make sense

Let me know if you need anything else, and good luck

Andy

Sent from [Mail](#) for Windows 10



LCC User Evidence Statement[1271].docx
403K

Public Right of Way User Evidence Statement

Revised April 2016

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential.

- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

DECLARATION

Data Protection Act 1998

Under the Data Protection Act the OMA has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the OMA's website.

Please print your name here Andy Brown

Your: Home Telephone Number 01524 66564

Mobile Telephone Number 07769 880051

Email Address ajbandjmbrown@hotmail.com

Statement of Truth

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATION ABOVE

Your Signature: A J Brown

Date: 30/08/2017

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Information on this page of the Statement will be redacted and not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name Andy Brown

Address Newstead, Cromwell Road,
Lancaster

Postcode ...LA1 5BD

Year of Birth

1963

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

...Dorrington Road, Lancaster, 1988 to 1994..., Cromwell Road, Lancaster 1994...to
present.

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

☒ As a footpath (public rights on foot only) **yes**

☐ As a bridleway (public rights on foot and on horseback or bicycle) **yes**

☐ As a restricted byway (public rights on foot, on horseback or any non-motorised
vehicle) **no**

☒ As a byway open to all traffic (public rights for all classes of use, including motor
vehicles) **no**

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?

From1988...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		3 times per week				
On horseback						
By pedal cycle			Twice per month			
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

...Pleasure.....

5. In what way/s have you noticed other people using the route? (Please tick)

(a) on foot yes ☐
 (b) on horseback yes ☐
 (c) on bicycle/horse-drawn vehicle yes ☐
 (d) with motorised vehicle yes ☐
 (e) other, please specify

.....

6. Were they using exactly the same route as you? ☒ YES ☐ NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....

.....

.....

.....

6. Has the application route always followed the same course?

- ☒ Yes
- ☐ Don't know
- ☐ No

If no – how and when was the route altered?

.....

.....

.....

7. Approximately how wide is the application route?
[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

.....

.....

.....

8. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

.....

.....

.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

No

.....

.....

.....

How long were they in place?

.....

.....

.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

No

.....

.....

.....

.....

c. Other barriers [state what they were and location, how long they were in place and show on your map]

... Bollards have always been in place

.....

.....

.....

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
Used all the time by cyclists and 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?

...From OS map and local
knowledge.....
.....

.....
.....

16. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....
.....
.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☒ No

☐ Yes

If yes – please provide details

.....
.....
.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?
[Continue on a separate sheet if necessary]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

.....
This route takes numerous walkers and cyclists , every day, up a pleasant tree-lined drive, with lovely views, nicely linking up existing cycle paths and public footpaths: the alternative route for current users would be along a narrow road with regular fast traffic and poor visibility
.....

.....The public have used this drive, unfettered, for a long time, well beyond the period I've lived in Lancaster. I know this having had numerous conversations about the local area and its history.

The drive creates a number of lovely local circular footpath/cycle routes well away from traffic ,and a safe walking/cycling route for Aldcliffe residents going into Lancaster

The Drive's becoming a formal public footpath/bridleway would really enhance the area's amenity value and I sincerely hope the application is successful

.....
.....
.....

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

☐ No

Public Right of Way User Evidence Statement

Revised April 2016

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential.

- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

DECLARATION

Data Protection Act 1998

Under the Data Protection Act the OMA has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the OMA's website.

Please print your name here PAMELA GORHAM

Your: Home Telephone Number EX-DIRECTORY

Mobile Telephone Number —

Email Address —

Statement of Truth

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATION ABOVE

Your Signature: P. C. Gorham

Date: 13 September 2017

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Information on this page of the Statement will be redacted and not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name

PAMELA GORHAM

Address

9 FURNESS ST

LANCASTER

Postcode LA1 5QZ

Year of Birth

1945

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

1980-1983 LA1 5RD

1996 - present above address

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- ☐ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☒ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

Aldcliffe Hall Drive from its junction with Aldcliffe
Road at the lodge to its junction with Aldcliffe
Hall Lane.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

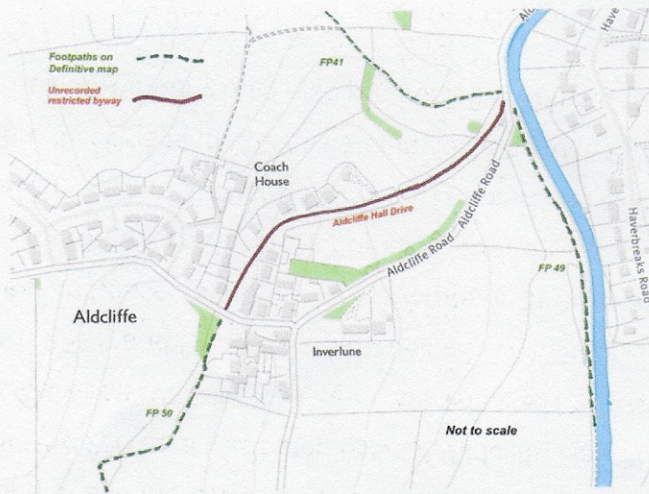
YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1980 to 1983 and from 1996 to present

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

NO



P. C. Gornham

13 September 2017

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] Sometimes as much as weekly, sometimes only monthly depending on weather & circumstances.						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

Exercise/Leisure - to walk or cycle around the area linking the river/cycle track area to the canal & nature reserve.

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']

wide enough for 3 or 4 walkers to walk together
abreast between Aldcliffe Road & bollards – then it
is a vehicular road with pavements down to Aldcliffe
Hall 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

.....
.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

..... NO

.....

.....

How long were they in place?

.....

.....

.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

..... NO

.....

.....

c. Other barriers [state what they were and location, how long they were in place and show on your map]

..... BOLLARDS NEAR ASHLAR LODGE

.....

.....

10. Did any of the above prevent you from using the application route?

☒ No

☐ Yes

If yes, please give details

.....

.....

.....

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☒ No

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....

.....

.....

12. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

Other walkers, cyclists & occasionally horses.

.....

.....

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

'Walks Around Lancaster', a brochure of walks produced by the
Lancaster Group of the Ramblers Association in 1994 (revised edition)
uses Aldcliffe Hall Drive in walk 17 as part of the route. Walk
entitled 'Aldcliffe & the Canal'.

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?
[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

It has been used as a PRW for at least 37 years to my knowledge & although
only 1/4 mile, Aldcliffe Hall Drive provides a vital link between
footpaths 41, 49 & 50 (see map) enabling exercise &

leisure around the estuary (Lancashire Coastal Way) canal &
Fairfield Nature Reserve. The alternative would involve a
dangerous walk on a narrow road with no pavement from
the Lodge at Aldcliffe Road/canal junction to Aldcliffe village....

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