

HIGHWAYS AND TRANSPORTATION COMMITTEE

PUBLIC RIGHTS OF WAY SUB-COMMITTEE

Meeting held on Wednesday, 9th July, 1986, at  
10.30 a.m. at County Hall, Preston

MINUTES

PRESENT:-

County Councillor S Mercer (Chairman)

County Councillors

J A Bennett	F R Melling
W E Challis	G L Nickson
E M Fail	G W Roper
J French	G W Slynn
C R Grills	Mrs K Sumner-Clough
D Lockwood	F Townend
J McCrae	P H Worrall

County Councillor P P Hall attended under the provisions of S.O. 45.

MINUTES

13. RESOLVED:- That the Minutes of the meeting held on the 21st May, 1986 be confirmed and signed by the Chairman.

WILDLIFE AND COUNTRYSIDE ACT 1981  
CLAIMED UPGRADING TO BY-WAY OPEN TO ALL TRAFFIC  
OF THE ROUTE FROM COLDWELL RESERVOIR TO COMBE HILL CROSS  
(WILL MOOR HILL ROAD) TRAWDEN, PENDLE BOROUGH, CLAIM NO. 804/87/13/7/1

It was reported that the claim was for the upgrading of the route from Coldwell Reservoir to Combe Hill Cross, Trawden, Pendle Borough, to the status of By-way Open to All Traffic in accordance with the procedure laid down in the Wildlife and Countryside Act, 1981.

Details of the claim were presented.

14. RESOLVED:- (a) That the claimed by-way open to all traffic between a point on the Laneshawbridge to Haworth Road near Combe Hill Cross to the junction with Wycoller Road and Bridleway No. 191 Trawden, Pendle Borough a distance of approximately 970 metres (Claim No. 804/87/13/7/1) be accepted and

(b) That an Order be made under Section 53(2)(b) of the Wildlife and Countryside Act 1981 in accordance with Claim No. 804/87/13/7/1 to add the route from a point on the Laneshawbridge to Haworth Road near Combe Hill Cross to the junction with Wycoller Road and Bridleway No. 191 Trawden, Pendle Borough, a total distance of approximately 970 metres, to the Definitive Map and Statement of Public Rights of Way as a By-Way Open to All Traffic; and

(c) That further investigations be carried out into the length of the claimed by-way near Upper Coldwell Reservoir prior to a determination in respect of the remaining length of the claim being made.

WILDLIFE AND COUNTRYSIDE ACT, 1981  
CLAIMED UPGRADING TO BY-WAY OPEN TO ALL TRAFFIC OF  
PUBLIC FOOTPATH NOS. 61, 71, 72, 73, 74, 95, 97 AND 99 TRAWDEN,  
PENDLE BOROUGH (ANTLEY GATE VIA ALDER HURST HEAD FARM TO  
BURNLEY ROAD) CLAIM NO. 804/88/13/7/2

It was reported that the claim was for the upgrading of Public Footpath Nos. 61, 71, 72, 73, 74, 95, 97 and 99, Trawden, Pendle Borough, from Antley Gate via Alder Hurst Head Farm to Burnley Road, to the status of By-way Open to All Traffic in accordance with the procedure laid down in the Wildlife and Countryside Act, 1981.

Details of the claim were presented.

15. RESOLVED:- That the claim to upgrade Public Footpaths Nos. 61, 71, 72, 73, 74, 95, 97 and 99, Trawden, Pendle Borough to By-way Open to All Traffic, in accordance with Claim No. 804/88/13/7/2, be not accepted.

WILDLIFE AND COUNTRYSIDE ACT, 1981  
CLAIMED BY-WAY OPEN TO ALL TRAFFIC FROM FRIGHAM'S COTTAGE  
PAST MEAN MOSS FARM TO BEAVER GATE (KNOWN AS BOULSWORTH ROAD)  
TRAWDEN, PENDLE BOROUGH, CLAIM NO. 804/89/13/7/3

It was reported that the claim was for a By-way Open to All Traffic from Frigham's Cottage past Mean Moss Farm to Beaver Gate, known as Boulsworth Road, Trawden, Pendle Borough, in accordance with the procedure laid down in the Wildlife and Countryside Act, 1981.

Details of the claim were presented.

16. RESOLVED:- (a) That the claim for a by-way open to all traffic from Frigham's Cottage past Mean Moss Farm to Beaver Gate (Boulsworth Road), Trawden, Pendle Borough (Claim No. 804/89/13/7/3) be not accepted; and

(b) That subject to the claimant's right of appeal, an Order be made under Section 53(2)(b) of the Wildlife and Countryside Act 1981, to add the route from Frigham's Cottage past Mean Moss Farm to Beaver Gate (Boulsworth Road) Trawden, Pendle Borough to the Definitive Map and Statement of Public Rights of Way as a Bridleway.

WILDLIFE AND COUNTRYSIDE ACT, 1981  
CLAIMED UPGRADING TO BY-WAY OPEN TO ALL TRAFFIC OF BRIDLEWAY NO. 55,  
GRINDLETON, RIBBLE VALLEY BOROUGH, CLAIM NO. 804/109/3/21/2

It was reported that the claim was for the upgrading of Bridleway No. 55, Grindleton, Ribble Valley Borough, to By-Way Open to All Traffic, in accordance with the procedure laid down in the Wildlife and Countryside Act 1981.

Details of the claim were presented.

17. RESOLVED:- That the Highways and Transportation Committee be recommended to agree:-

- (a) That the claimed upgrading of Bridleway No. 55 (known as Back Lane, Grindleton) (Ribble Valley Borough) to By-way Open to all Traffic. (Claim No. 804/109/3/21/2) be not accepted on the grounds that it is already a highway of higher status; and
- (b) That there is insufficient evidence to prove that Back Lane, Grindleton is an ancient highway and therefore maintainable at public expense.

HIGHWAYS ACT 1980 - SECTION 119  
PROPOSED DIVERSION OF PART OF PUBLIC FOOTPATH NUMBER 12  
PARISH OF LONGTON, SOUTH RIBBLE BOROUGH

It was reported that a request had been received for an Order to be made under Section 119 of the Highways Act 1980, to divert part of Public Footpath No. 12 in the Parish of Longton. The length of the existing footpath to be diverted was shown on the plan by a bold black line and marked A-B and the proposed alternative route was shown by a dotted black line and marked B-C-D.

The diversion request was made in the interest of the owner/occupier because of the close proximity of the existing route to the house and other buildings with particular regard to security in this isolated location.

The length of footpath number 12 to be diverted was 95 metres and the length of the proposed alternative was 120 metres.

The proposal was considered acceptable from a highways aspect and met the criteria for a diversion under Section 119 of the Highways Act 1980, i.e. that in the interest of the owner, leasee or occupier of land crossed by the path, or of the public, it was expedient that the path should be diverted. Furthermore, it was considered that the diversion route would not be substantially less convenient to the public than the existing route.

Both the existing and the proposed routes were over land in the ownership of the applicants who had agreed to meet the advertising costs incurred by the County Council in the Order making procedures and all other costs involved in providing the alternative route to the satisfaction of the County Council.

The necessary consultations with the Statutory Undertakers had been carried out and no adverse comment had been received. The Ramblers' Association had also been consulted and had raised no objection to the proposal. The Longton Parish Council did not object to the proposal, but the South Ribble Borough Council, through its Development Services Committee, had indicated opposition to the proposal on the grounds that the alternative route would be too circuitous. The Sub-Committee considered that, as the proposal satisfied the criteria for a diversion, and that as the additional length of walking involved was only approximately 25 m, the order making procedures should be implemented notwithstanding the comments of the Borough Council.

18. RESOLVED:- That an Order be made, under Section 119 of the Highways Act 1980, to divert that part of Footpath No. 12, Parish of Longton, from the route shown by a bold black line and marked A-E on the plan contained in the report to the route shown by a dotted black line B-C-D on that plan, and that in the event of no objection being received, the Order be confirmed.

DATE AND TIME OF NEXT MEETING

It was reported that the next meeting of the Sub-Committee would be held at 10.30 a.m. on Thursday the 4th September 1986.

BRIAN HILL  
Chief Executive/Clerk

County Hall  
PRESTON