

Regulatory Committee

Meeting to be held on the 10th November, 2004

Part I- Item No. 5

Electoral Division affected:
Great Harwood and Ribble
Valley North East

Wildlife and Countryside Act 1981

**Claimed Public Footpath from the Southern End of the Martholme Viaduct,
Great Harwood, Hyndburn Borough, to Public Footpath No. 11, Read, Ribble
Valley Borough**

Claim No. 804/392

(Annex 'A' and Appendix 'A' refer)

Contact for further information: S P Southworth, 01772 533430, Legal Services
Group

Executive Summary

The claim for a public footpath from the southern end of the Martholme Viaduct, Great Harwood, Hyndburn Borough, to Public Footpath No. 11, Read, Ribble Valley Borough, to be added to the Definitive Map and Statement of Public Rights of Way, in accordance with Claim No. 804/392.

Recommendation

That the Claim for a public footpath from the southern end of the Martholme Viaduct, Great Harwood, Hyndburn Borough, to Public Footpath No. 11, Read, Ribble Valley Borough, to be added to the Definitive Map and Statement of Public Rights of Way, in accordance with Claim No. 804/392, be not accepted.

Background

A claim has been received for a footpath extending from a point at the southern end of the Martholme Viaduct, Great Harwood, Hyndburn Borough, at its junction with land owned by the County Council on which there is a concessionary bridleway along a former railway line, following the dismantled railway line to a point on Public Footpath No. 11, Read, Ribble Valley Borough, a distance of approximately 900 metres, and shown between points A - C on the attached plan, (GR 7512 3381 to 7589 3413), to be added to the Definitive Map and Statement of Public Rights of Way.

A Report on this matter was presented to the Committee at their Meeting on the 15th September, 2004, when, in order that further information could be obtained with regard to the future public access to the route, it was resolved that consideration of the Claim be deferred.

Advice

Subsequent to the Meeting of the Committee held on the 15th September, 2004, information has been obtained from the Environment Director regarding future public access to the route.

The Great Harwood – Burnley railway has been identified through the REMADE project (Reclamation and Management of Derelict Land in Lancashire) to restore derelict and neglected land for soft use. From a cycling perspective the old railway line is seen as an important link to major employment sites at Altham, Simonstone and Shuttleworth Mead as being an attractive leisure route. The route is very important, increasing cycling levels in East Lancashire. By providing a route from two urban areas in the countryside, it will also be important for walkers and, possibly, horse riders. Developing the old railway is in line with the Rights of Way Improvement strategy to provide routes into the countryside.

The Environment Director, in partnership with Sustrans, is negotiating to acquire the section of the railway between Burnley and Padiham from Network Rail. It is foreseen that this section will be done in the next three years, and that between Simonstone and Martholme within the next ten years, although Compulsory Purchase Orders may be required to build it.

Considering the additional information given above, the Committee may feel that that further information does not offer further assistance in a determination as to whether the route may have already become a public footpath; and that the Report presented to the Committee on the 15th September, 2004, should be reconsidered; and, on balance, the Committee may feel that the Claim is not able to be accepted.

Alternative options to be considered

N/A

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
All documents on Claim File Ref: 804/392		S P Southworth, Legal Services Group, Ext: 33430

Reason for inclusion in Part II, if appropriate
N/A