

Highway Extent Investigation Report:-

Old Dawbers Lane, Euxton

Asset Management Service

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Highways Asset Principal

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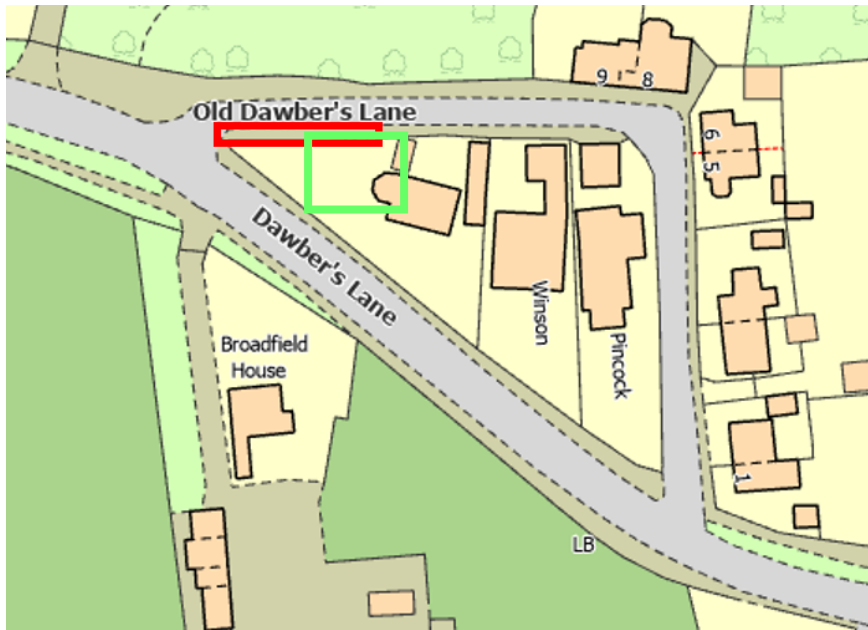
Recommendation

The recommendation of the report is that the extent of the highway recorded at Lancashire County Council remain as currently reflected supported by the evidence provided below.

Background

A query was received by the Customer Service department (CRN 00551979) in relation to a grass verge on Old Dawber's Lane in Euxton, circled in red on the map below and in yellow on the street map view.

The trustee for Ingle Head property (circled in green) is querying the ownership of the verge, as he states it has been untouched by any council for the past 60/70 years and was instead maintained by the owners of the property (parents to the trustee).



During an initial telephone conversation with the originator, they confirmed that Chorley Borough Council had informed his parents many years ago, that the land was "nothing to do with them" and was therefore maintained by the property owners. However, no supporting documentation can be found to confirm this.

The Originator / Trustee is also querying the state of the road surface, and subsequent drainage, however, the originator will be directed to record any issues / defects on Love Clean Streets, to allow the proper assessment and work to be scheduled, should any be required.

Investigation

Mapzone currently shows the grass verge as falling within the highway extent.



Old documentation and maps proved variable in quality, and usability, with maps from 1840 suggesting that the verge WAS within the old highway extent (see Appendix A), and maps from 1910 suggesting it wasn't (see Appendix B). However, there is a question around the scaling on said maps, which cannot be easily confirmed.

Similarly, investigations using the London Gazette search provided no supporting information either way.

The extent of the original historic highway was confirmed by sourcing an overlay of the Land Registry title, the 1:2500 OS map (1971) and our maintained at public expense (MAPE) mapping layer (see Appendix C).

Conclusion

Jane Turner, principal lawyer, has reviewed the investigation and considers that on balance of probability the grass verge in question does form part of the original highway width and is therefore considered to be part of the highway extent.

The Highway Asset Manager has reviewed the evidence and agrees with this conclusion and as such our adoption records should remain as currently shown with the grass verge as part of our highway extent. Further evidence may be presented at any time which may cause a further revision but at present the information is as set out above and the conclusion drawn is on balance.

Appendix A - Modern Map overlaid with 1840's OS Mapping



Appendix B - Modern Map overlaid with 1910's OS Mapping



Appendix C - Modern Map overlaid with Land Registry Title / 1971 OS Map (1:2500) / MAPE Layer

