



FAO Chief Executive
Chorley Borough Council
Civic Offices
Union Street
Chorley
PR7 1AL

Phone: 01772 533878

Email: Joanne.lawson@lancashire.gov.uk

Your ref:

Our ref: LSG4.CB7.888.996

Date: 07 March 2019

Lancashire County Council does
not accept service by e-mail.

Dear Sirs

RE: Section 53 WILDLIFE AND COUNTRYSIDE ACT 1981 THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY FOR THE COUNTY OF LANCASHIRE (PUBLIC FOOTPATHS EUXTON 37, 38 AND 39 (CULBECK LANE), CHORLEY) DEFINITIVE MAP MODIFICATION ORDER 2019

Further to previous correspondence regarding the above, I now enclose Notice of the making of the Order which is required to be served on your Council in this respect.

I am enclosing an additional copy of the Public Notice together with a copy of the Order, explanatory statement and the relevant plan. I should be grateful if you could arrange for these to be placed on deposit for public inspection until the 23rd April 2019.

Would you please confirm that these documents have been placed on deposit and would you also confirm that they remain on deposit until the 23rd April 2019.

Yours faithfully

Joanne Lawson
Paralegal

Please quote our full reference number on all correspondence



NOTICE OF MODIFICATION ORDER

SECTION 53 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981

THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY FOR THE COUNTY OF LANCASHIRE

**THE LANCASHIRE COUNTY COUNCIL
(PUBLIC FOOTPATHS EUXTON 37, 38 AND 39(CULBECK LANE), CHORLEY)
DEFINITIVE MAP MODIFICATION ORDER 2019**

The above Order, made on the 20th February 2019, if confirmed as made, will modify the Definitive Statement of Public Rights of Way for the area namely the width and limitations along Footpaths Euxton 37, 38 and 39 known as Culbeck Lane from the junction with Dawbers Lane at SD 5356 1851 (point A on the Order Map) along Culbeck Lane in an approximately northerly direction passed Culbeck House to the junction with Runshaw Lane at SD 5356 1946 (point C). The width of the route to be recorded varies between 4 and 11 metres between point A and point B and between 5 and 11 metres between point B and point C, as shown on the Order Map by a hatched red line. The right to erect openable field gates across the route is to be recorded at points A, B and C.

A copy of the Order and the Order Map may be seen free of charge at the offices of the Chorley Borough Council, and at my offices from 9am to 5pm on weekdays. Copies of the Order and Map may be bought there at the price of £1.00.

Any representation or objection relating to the Order must be sent in writing to The Director of Corporate Services, Lancashire County Council, PO Box 78, County Hall, Preston, PR1 8XJ (REF: LSG4/JL2/888.996/804.585) not later than 23rd April 2019, and applicants are requested to state the grounds on which it is made.

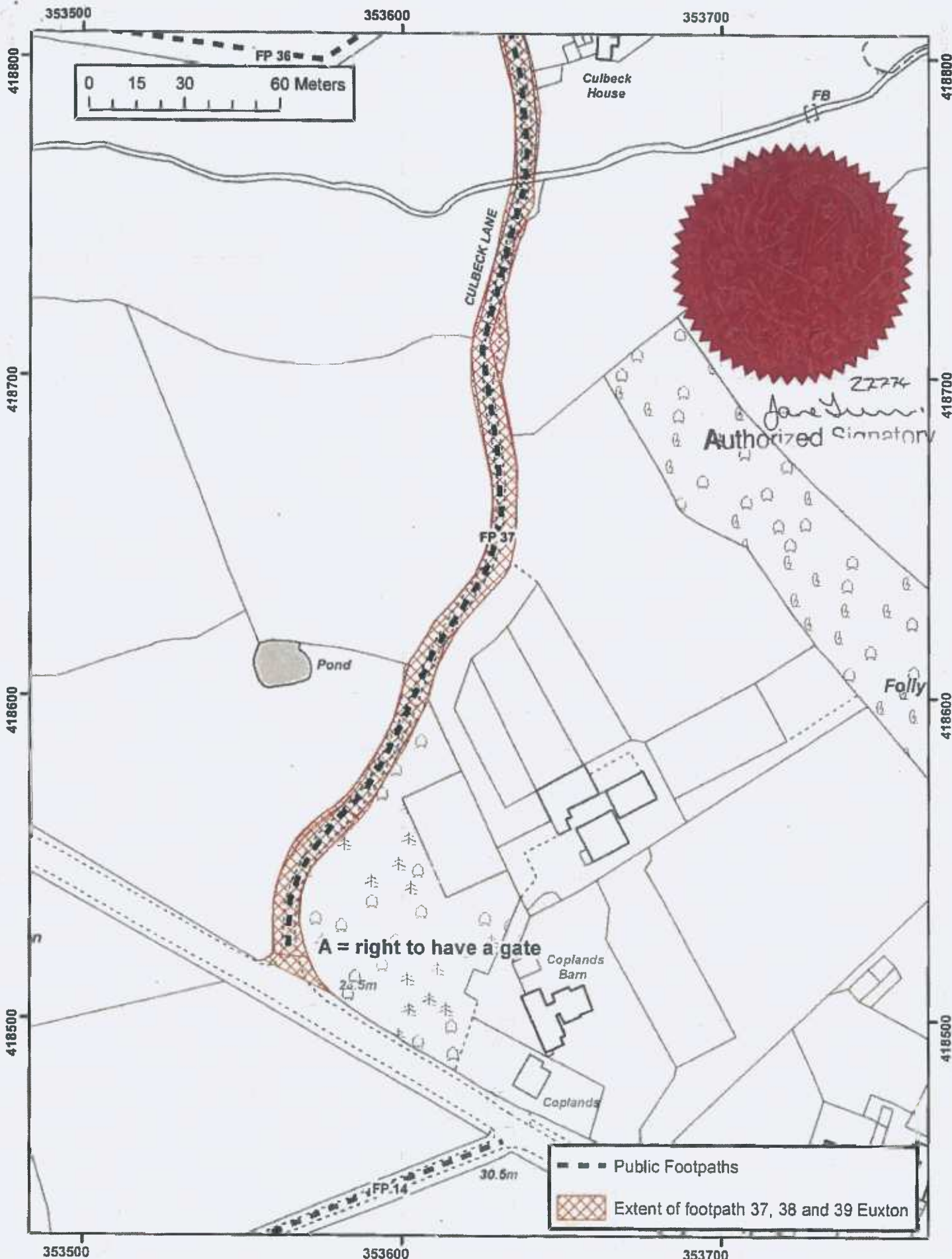
If no representations or objections are duly made to the Order, or if any so made are withdrawn, Lancashire County Council, instead of submitting the Order to the Secretary of State for the Environment, Food and Rural Affairs, may itself confirm the Order. If the Order is submitted to the Secretary of State for the Environment, any representations or objections which have been duly made and not withdrawn will be sent with it.

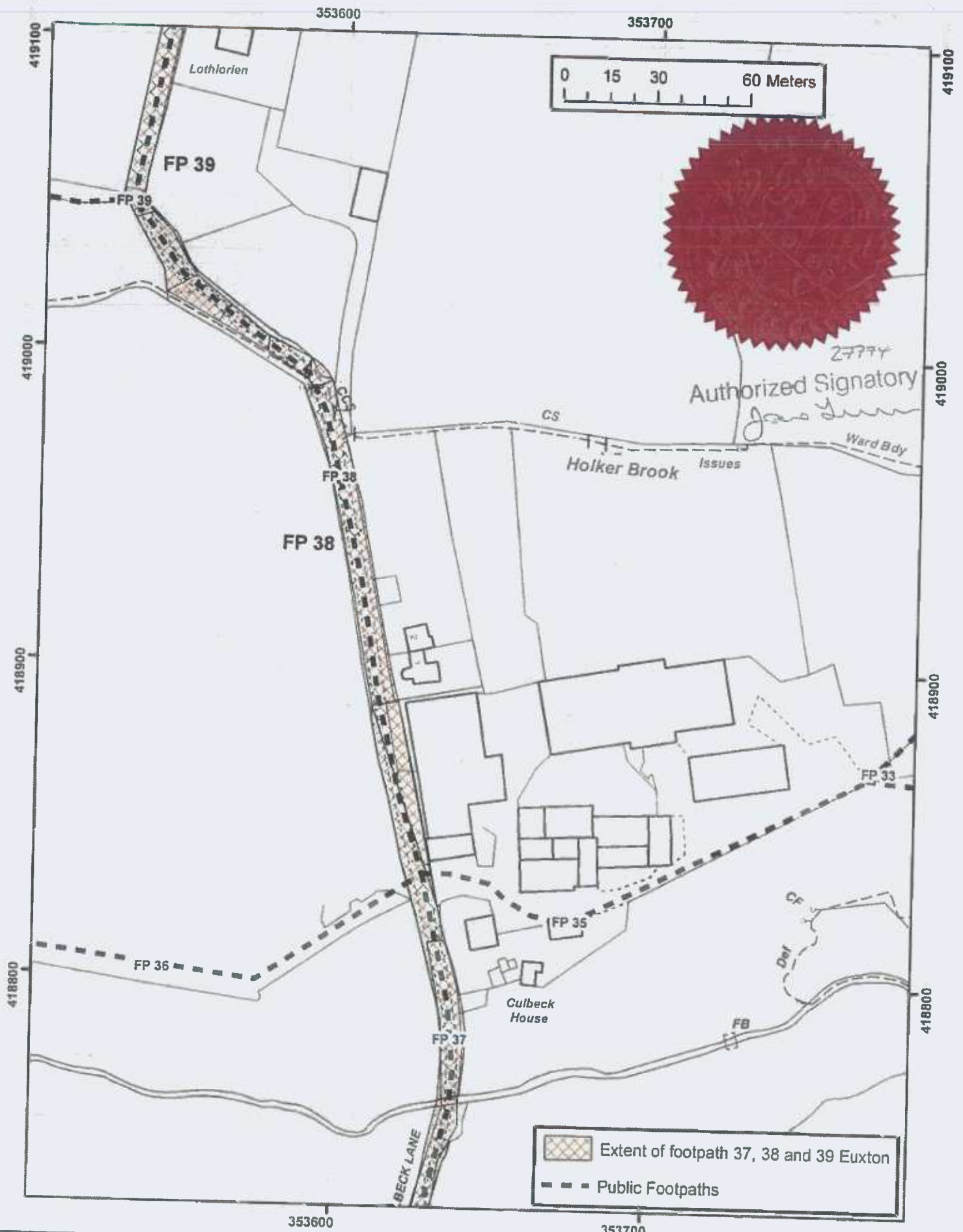
Dated this 12th March 2019

LAURA SALES
Director of Corporate Services
Christ Church Precinct
County Hall
PRESTON
PR1 8XJ

This does not form part of the above Notice

Please note that information supplied will be used in accordance with the processes under Statute and will not be confidential and may be disclosed to third parties.





<p>Lancashire County Council</p>	<p>Andrew Mullaney Head of Planning and Environment</p>	<p>Wildlife and Countryside Act 1981 Modification to the Definitive Statements for Footpaths 37, 38 and 39 Euxton (Culbeck Lane)</p>	<p>1:1,500</p>	
<p>The digitised Rights of Way information should be used for guidance only as its accuracy cannot be guaranteed. Rights of Way information must be verified on the current Definitive Map before being supplied or used for any purpose.</p>				
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				<p>Plan 2/4</p>

353500

353600

353700



419300

419300

419200

419200

419100

419100

B = right to have a gate

FP 39

Authorized Signatory


Jane Sun

Lothlorien

FP 39

FP 40

FP 38

-  Extent of footpath 37, 38 and 39 Euxton
-  Public Footpaths

353500

353600

353700



Andrew Mullaney
Head of Planning and Environment

Wildlife and Countryside Act 1981
Modification to the Definitive Statements for Footpaths 37, 38 and 39 Euxton
(Culbeck Lane)

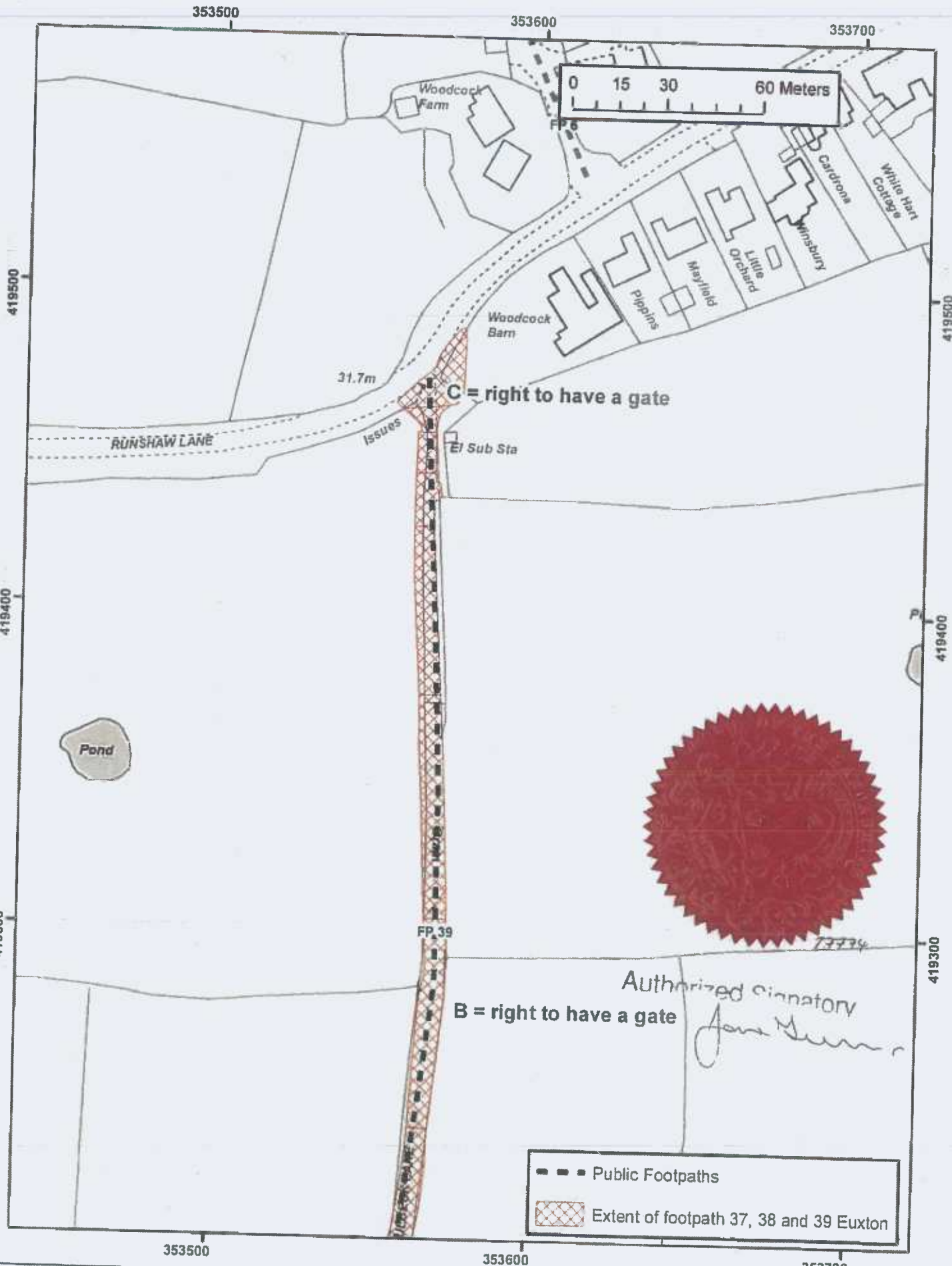
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Plan 3/4



WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP MODIFICATION ORDER

EXPLANATORY STATEMENT

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

Public footpaths, bridleways, restricted byways and byways open to all traffic are recorded on definitive maps and statements. These maps and statements provide conclusive evidence of the existence of public rights. Lancashire County Council is responsible for the definitive map and statement and has a duty to modify them when evidence suggests that they are inaccurate or incomplete. This is achieved by means of modification orders made under section 53 of the Wildlife and Countryside Act 1981.

The council has made a modification order under section 53 to modify particulars in the Definitive Map and Statement of Public Rights of Way for the area namely the width and limitations along Footpaths Euxton 37, 38 and 39 known as Culbeck Lane, Euxton, Chorley.

The evidence on which the council has considered making the order includes the following: map and documentary evidence.

This evidence may be consulted free of charge at Lancashire County Council, Legal Services Group, PO Box 78, County Hall, Preston, PR1 8XJ.

Representations and objections relating to the order must be made in writing by 23rd April 2019 to: The Head of Corporate Services, Lancashire County Council, PO Box 78, County Hall, Preston, PR1 8XJ (Reference: LSG4/JL2/888.996/804.585)

To be relevant, representations or objections should relate to the historical width, and right to erect lawful limitations (in this case field gates) along the footpaths. Other issues, such as privacy, security or amenity are unlikely to be relevant. If you want to discuss a representation or objection to this order, contact Ms Lawson at the address above or by phone on 01772 533878 or e-mail joanne.lawson@lancashire.gov.uk.

This order does not come into effect until confirmed. If there are no representations and objections to the order, or those made are withdrawn, the council can confirm the order, and the definitive map and statement will be modified. If there are any representations and objections which are not withdrawn, the council must send the order and representations and objections to the Planning Inspectorate who will appoint an independent inspector to consider the order and the representations and objections. The Inspectorate will normally hold a hearing or an inquiry but it could determine the order through written representations. The inspector may confirm the order, with or without modifications, or may decide that the order should not be confirmed.

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY FOR THE
COUNTY OF LANCASHIRE**

**THE LANCASHIRE COUNTY COUNCIL
(PUBLIC FOOTPATHS EUXTON 37, 38 AND 39 (CULBECK LANE), CHORLEY)
DEFINITIVE MAP MODIFICATION ORDER 2019**

This Order is made by Lancashire County Council ("the Authority") under Section 53(2)(b) of the Wildlife and Countryside Act, 1981 ("the Act") because it appears to that Authority that the Definitive Map and Statement of Public Rights of Way for the County of Lancashire require modification in consequence of the occurrence of an event specified in 53(3)(c)(iii) namely, the discovery by the Authority of evidence which (when considered with all other relevant evidence available to them) shows that particulars contained in the map and statement require modification namely, the width and limitations of Footpaths Euxton 37, 38 and 39.

The Authority have consulted with every local authority whose area includes the land to which the Order relates. Lancashire County Council hereby order that:

1. For the purposes of this Order, the "relevant date" is 20th February 2019.
2. The Statement of Public Rights of Way for the County of Lancashire shall be modified as described in Part II of the Schedule.
3. This Order shall take effect on the date it is confirmed and may be cited as The Lancashire County Council (Public Footpaths Euxton 37, 38 and 39 (Culbeck Lane), Chorley) Definitive Map Modification Order 2019.

Dated this 20th day of February 2019

THE COMMON SEAL of the)
Lancashire County Council)
was hereunto affixed in the presence of)

Authorised Signatory

Joe Turner



ZATM

SCHEDULE

PART I

MODIFICATION OF DEFINITIVE MAP

Not applicable

PART II

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH OR WAY

The Definitive Statement for Footpath Euxton 37 to be amended to read as follows:

"Culbeck House southwards along Culbeck Lane to join A581."

Width:

"Varies between 4 and 10 metres as shown between the unbroken boundary lines on the 1st edition OS 25 inch Sheet LXXVII.VI published 1894."

Length:

"0.22 miles"

Other Particulars:

"Limitation: SD 5356 1851 – Field gate"

The Definitive Statement for Footpath Euxton 38 to be amended to read as follows:

"Culbeck House northwards along Culbeck Lane to junction Footpaths 39 and 40."

Width:

"Varies between 5 and 11 metres as shown between the unbroken boundary lines* on the 1st edition OS 25 inch Sheet LXXVII.VI published 1894.

*the exception to this is where a drain (now known as Holker Brook) is shown between the field boundary and the lane adjacent to parcel 346. The boundary here is the laneside bank of the brook."

Length:

"0.15 miles"

Other Particulars:

"Limitations: None"

The Definitive Statement for Footpath Euxton 39 to be amended to read as follows:

"Junction Footpaths 38 and 40 to Runshaw Lane."

Width:

"Varies between 5 and 11 metres as shown between the unbroken boundary lines** on the 1st edition OS 25 inch Sheet LXXVII.VI published 1894.

**the exception to this is where a drain is shown between the field boundary and the lane adjacent to parcel 470. The boundary here is the laneside bank of the drain."

Length:

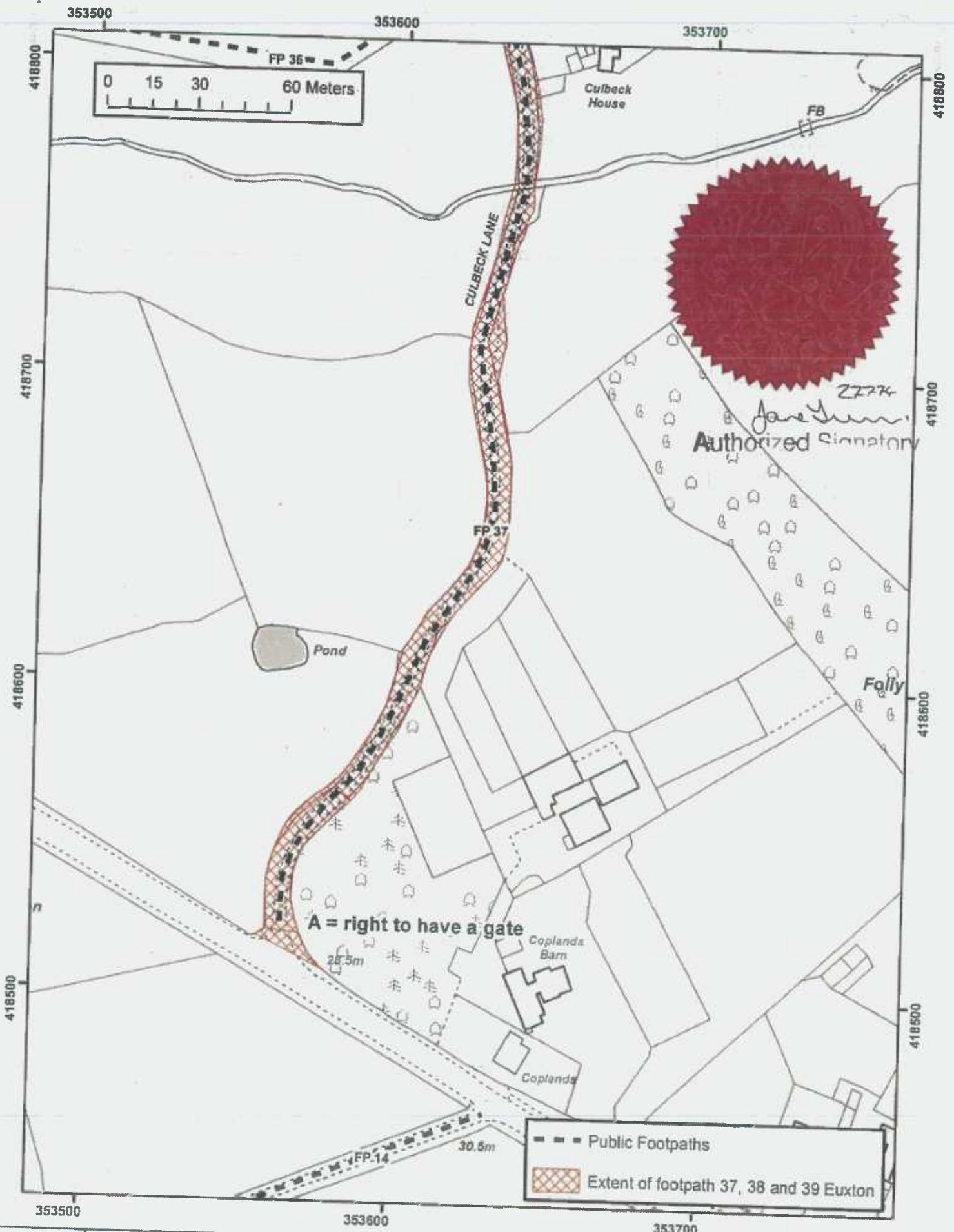
"0.27 miles"

Other Particulars:

"Limitations:

SD 5357 1927 – Field gate

SD 5356 1946 – Field gate"



Lancashire
County Council

Andrew Mullaney
Head of Planning and Environment

Wildlife and Countryside Act 1981
Modification to the Definitive Statements for Footpaths 37, 38 and 39 Euxton
(Culbeck Lane)

1:1,500



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Plan 1/4