

Dated \_\_\_\_\_ 2019

**STATUTORY DECLARATION**

- by -

*Susan Margaret Chadwick*

- relating to -

Kirklees Council  
(Huddersfield Public Bridleway 231 – Sandy Lane to Nether Moor Road, South  
Crosland) Public Path Modification Order 2018  
PINS Ref: ROW/320859

**I Susan Margaret Chadwick** of The Airfield Crosland Moor, Huddersfield, HD4 7AE  
**DO SOLEMNLY AND SINCERELY DECLARE** as follows:

1. I was born on [REDACTED] 1963.
2. There is now produced to me and marked SMC1 a plan showing the route that is the subject of this declaration.
3. There is now produced to me and marked SMC2 a document titled “For Council Meeting, 23/11/17 Re Huddersfield Path 231”. This document contains the notes I prepared in advance of the Council meeting on 23 November 2017. I spoke at this meeting using the notes in SMC2.
4. I have lived at my current address for forty-seven years. I moved here in 1971 when I was aged eight. Before I married in 1990 my surname was Whitham. James Whitham, previously of Delves Farm, Delves, Huddersfield, is my brother.
5. I became a British Horse Society Assistant Instructor (“BHS AI”) in 1980, when I was 17, and Intermediate Instructor (“BHS II”) in 1985 and a full instructor (BHS I) in 2001.
6. I am familiar with the route shown on the plan at SMC1. As set out in SMC2 I have ridden a horse along it and also ridden a bicycle along it. Very occasionally I have used a motor vehicle along the route, when I did this I was using the route as a short cut to visit my brother who at the time lived at Delves Farm. This declaration covers my use of the route on horseback and on bicycle.
7. To the best of my recollection I first used the route on a horse in 1971 when I was about eight years old. I first rode the route with my mum. When we moved to the Airfield, she studied maps of the area to work out routes that were suitable and accessible for her to accompany me and my sisters and my brother on ponies.

8. I used to ride a horse along the route on average at least once a week, but more often than that in the summer months. I ran a riding school at The Airfield from 1981 until 1987 and during that time I would ride it most days especially in summer as it was a good route to take novice riders on, and was part of a useful circular ride out. There were two periods of time when I used the route slightly less often than this. These were between October 1979 and June 1980 and January 1983 and June 1983, when I was away training. I did still come home at weekends and would ride the route then.
9. Other than when we had the riding school, I would ride either on my own or with one or two other riders, often my sisters or latterly my daughter, Anna; who I was with when we first discovered it blocked in May 2015.
10. In addition to riding the route with my husband Paul and with my daughter Anna the other people who I can remember riding the routes with at various times are: Mary Wilkinson (my sister), Andrea Whitham (my sister in law), Ruby Whitham (my niece), Diane Redmond, Sandra France, Liesl Clark, Davinia Mockryrycky, Lynsey Whitham, Christopher Whitwam, Bryan Butterworth, Alison Whiteley, Jade Baker, Jane Whittell (my sister), Helen Smith, Rosie Andrews, Sally Andrews, Harriet Sainsbury, Will Sainsbury, Hannah Taylor, Margaret Hey, Janette Williams, Wendy Dyson, Amy Dyson, Derek Noble, Judith Noble, Pat Whitham (my mother), Sharon Horne, Virginia Stewart, Beth Conheeny, Annaliese Hartley, Annabel Hinchcliffe, Helen Moyle, Lisa Fox, Nicola Butterworth, Karen Carr, Eileen Wrigley, Liz Layton-Bennet, Joanne Liles, Wendy Pateman, Martin Pateman, Trish Stelling, Helen Sanderson, Fiona Hearn,

Liz Townend, David Haigh, Trudy Ingrey, Kristi Connelly, Ellis Connelly, Jayne Dyson, Julie Beaumont, Karl Fisher, Pat Lodge, Karen Lodge, Kim Wilkes and Reg Wilson. There were others, but as my recollection of riding this route goes back over 40 years, I no longer remember the names of some of the people I rode the route with.

11. I knew that Mary Wilkinson also walked a dog and cycled along the route as well as riding it. Bryan Butterworth walked a dog along the route as well as riding it, as did Fiona Hearn.
12. Other people who I did not ride the route with, but I knew that they rode it are:  
Sheena Scott, Verity Scott, Florence Whiteley, Holly Whiteley, Kathy Kaminski, Tierney Baker, Daisy Whittell (my niece), Polly Whittell (my niece), Beccie Atkinson, Lorna Atkinson, Katie Smith, Chris Taylor, Nicola Waterfield, Rebecca Johnson, Pauline Murray, Alison Marriot, Stewart Shaw, Karen Duncan, Hayley Walker, Paula Milburn, Jane Middleton, Steph Thomas, Charlie Parkin, Zoe Parkin, Rosie Townend, Louise Norbury, Isabel Norbury, Joanna Mafin, Ellie Connolly, Lisa Blacker and Natasha Garrity. Of these people, I knew Kathy Kaminski also used to walk a dog along the route.
13. John Whiteley used to walk a dog and cycle the route, Darren Smith used to walk a dog along it, as did Amanda Taylor, and Johnny Walker. I knew that John Williams, Martin Lambert and Simon Hartley cycled the route. As far as I know they did not ride a horse along the route.

14. The only significant periods when I did not use the route would be when I was pregnant and after having Anna so from about October 1994 to April 1995, or for the odd week or two when we were on holiday.
15. I understand that it is being said by the objectors that there were periods in 2007 and 2008 when the route was impassable because works were being done by utility companies. I do not specifically recall this happening. However, I would not object if it had since roads and public rights of way are sometimes closed to allow necessary works to be carried out. I like the rest of the public would simply assume that the route would open again once the work was finished. Likewise, when routes are temporarily blocked to allow cows to be moved, this is just part of being in the country. This is entirely different to the route being totally blocked by boulders with barbed wire being run over the top of them and other obstacles put in the way. When that happened I, and others, complained.
16. I used to ride a bicycle along the route, however I did not use the route on a bike anything like as often as I did on a horse, as mainly I was cycling to get fit for the event season or skiing. I would use it on average twice a week, but only in February/March time and in December and only then if the weather and ground were dry as the track could get quite muddy when wet, which is fine for horses but not great for an ordinary bike.
17. I saw other people using the route, some of these are people I have named above. They were riding, cycling and walking. I would see them along the route when I was using it, or sometimes, if I was passing the end, I would see people coming on or off the route.

18. Sometimes I saw Mr Bradley Senior, Edward Bradley's father, when I rode through. He would always say hello if he saw us and he used to comment that he liked to see the horses coming through. Mr Bradley Senior would sometimes lift down the bar that was across the farmyard to guide the cows from the field to the milking parlour and stop them escaping. It was always there when I rode first thing in the morning, around 7.30, but not always there later in the day. It was like a long scaffolding pole that slotted into the wall at either side of the track.
19. The route is shown on Ordnance Survey maps as a right of way.
20. I never worked for the Bradleys.
21. There were gates across the route on the locations marked on SMC1. I cannot remember precisely when the gates went in.
22. Starting from the Sandy Lane end at the top of the hill there is a gate just before you reach the newest farm house. That is the most recent. It has only been there a few years I think and was always open until May 2015 when a tractor was parked behind it so you couldn't open it and a friend of mine, Bryan Butterworth, tried to get through when walking his dog - it was a route he regularly used - and was told it was private and there was no access and he had to go over the stile on the left and across the field.
23. Then there was the bar which was across immediately before the first building on the left, it went into the wall of the building and also rested on the wall at the other side. This was only in place when the cows were being brought across the track. You could lift it down but had to dismount but sometimes Mr Bradley senior would lift it down for you if he was about. After passing the farmyard there

- was another gate which only went part way across the track so you could ride past it and it was the field gate which was opened across the track to allow the cows through. The bar and this gate were always there from when I first rode the track, but only usually across the track at morning and evening milking times.
24. The next gate which is about 75 metres to the west of where the boulders originally were was fairly recent and I think it was put there around the same time as the original boulders to stop 4-wheel drive vehicles around 2008, but it could have been before then. It is a standard gate and then a smaller gate at the side which had a handle sticking up which you could open and close from a horse without dismounting.
25. None of the gates were ever locked. It was always possible to pass through until May 2015.
26. In around 2008 to 2009 boulders were placed on the route at the point marked on SMC1. I am uncertain as to the precise date when the boulders were placed on the route as they were not a problem for us as we could still ride bikes and horses and walk along the route, and to us it was not essential to be able to take a vehicle along there. It was easy to pass between them on a horse, so we just continued as we always had. I know that at around the time the boulders were put on the route there were problems locally with people leaving burnt out cars, fly tipping and also gypsies setting up camp, so I think the boulders were put there to stop these things happening. Quite a few local farmers did the same.
27. On Sunday 3rd May 2015 my daughter, Anna, and I tried to ride the route and found that the boulders were closed together to totally prevent access. There were

