

159/5

Claim Nether Moor Farm Hfld 231

Ref

PUBLIC RIGHTS OF WAY INFORMATION SHEET – WCA8

Personal Details

Name Date of Birth

Address

Telephone Numbers
Home Daytime

Occupation

How many years have you lived at the above address

Where did you live previously

How many years have you lived in the area

Year from Year to

The object of this questionnaire is to reach the truth of the matter, whatever it may be, Your are therefore asked to answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the route. The information you give will eventually become public and may be used as evidence at a public enquiry

This form should be completed by the one person who is named above – Please use black ink

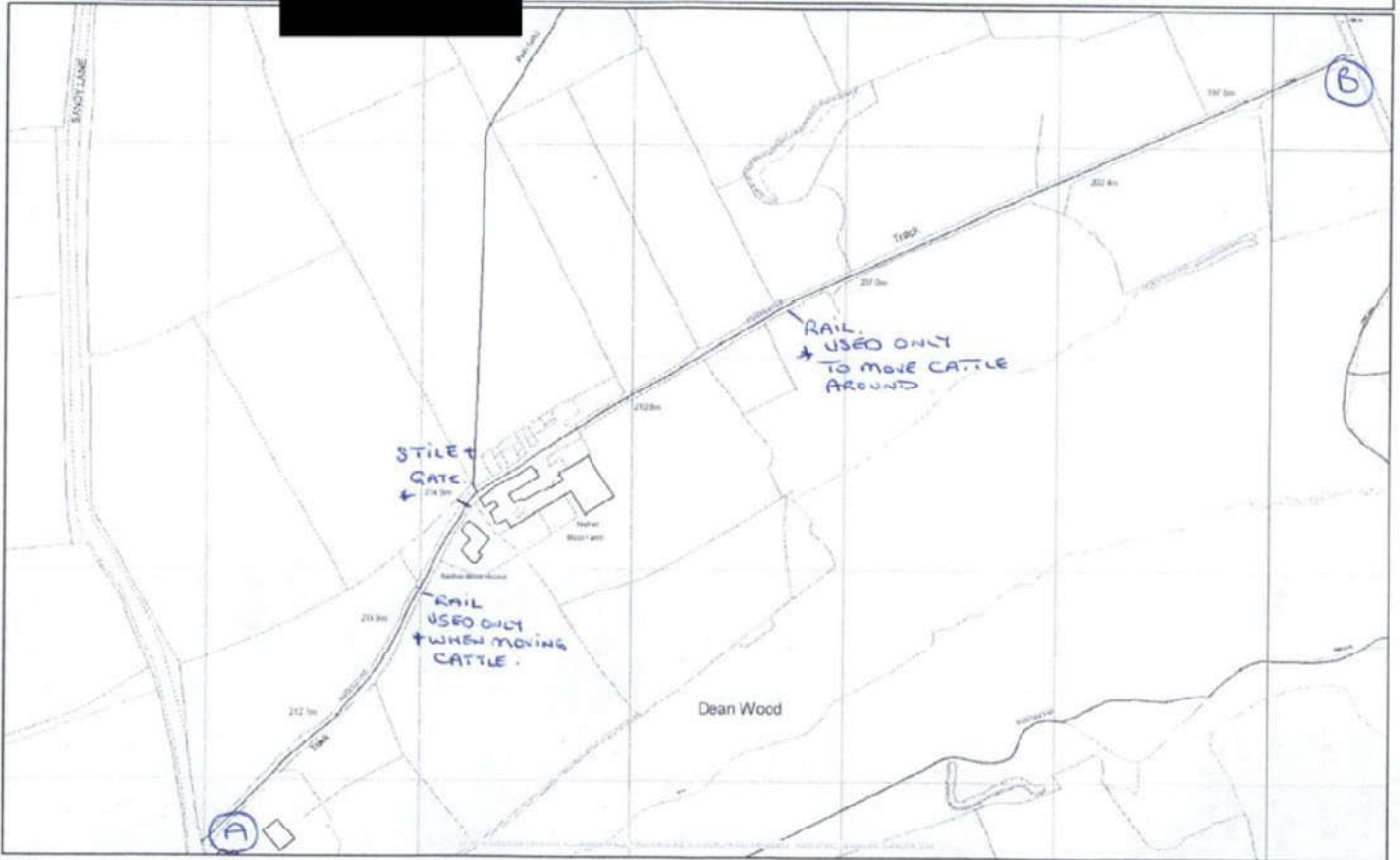
Please return the form to the person who supplied it to you.

If you have any queries regarding this form please contact:

Public Rights of Way Unit
Highways Service
Flint Street
Fartown
Huddersfield
HD1 6LG
Tel: 01484 225575

Huddersfield 231

28/06/09.



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Scale 1/2500

Date 24/6/2009

Coordinate = 411732 E 413363 N



PART A THE ROUTE

Please describe the route and show it on the map opposite. The route referred to runs :

from

POINT A (SANDY LANE) AS MARKED ON THE MAP

to

POINT B (AS MARKED ON THE MAP).

In the District of: (*Batley / Colne Valley / Denby Dale / Dewsbury / Heckmondwike / Holmfirth / Huddersfield / Kirkburton / Meltham / Mirfield / Spenborough)

circle where appropriate

Does the route have a name? YES/~~NO~~

If yes, please give details

TRACK

Which of the following do you believe the route is

Please tick one box

Footpath (for use by walker only)

Bridleway (for use by walkers, horse riders, pedal cyclist)

Byway (for use by walkers, horse riders, pedal cyclist, motor vehicles and horse drawn vehicles)

Restricted byway (for use by walkers, horse riders and by vehicles other than MECHANICALLY propelled vehicles)

Not a PUBLIC right of way of any sort

If you think that the route is NOT A PUBLIC RIGHT OF WAY please give your reasons below

[Empty box for reasons]

PART B USE OF THE ROUTE

Which years have you known the route (eg 2006)

From 1959

To PRESENT DAY. 2009

Which years have you used the route (eg 2006)

From 1959

To 2009.

For what purpose?

ACCESS TO FAMILY HOME, WHERE I WAS BORN AND BROUGHT UP.

How frequently did/do you use the route? (eg daily, weekly, once a month, once a year)

UP TO 1982 DAILY WHILST LIVING AT THE FARM
SINCE 1982 WEEKLY TO VISIT FAMILY.

Have you seen other people using the route? YES/~~NO~~

If yes, for what purpose

WALKERS.
HORSE RIDERS.
VEHICLES NEEDING ACCESS TO FARM e.g. vet, milk tanker, deliveries

How did you travel?

On foot

On a horse

By bicycle

By motor vehicle

By horse drawn vehicle

Other (state)

PART C NATURE OF THE ROUTE

How wide is the route used by the public?

(feet or metres)

VARIABLES FROM 10' TO 16'

What is its surface?

If you answer yes to the following questions, please mark the location on the map and give details

On the route, have you ever seen any stiles? YES/NO

If yes, please give details (ie type and locations)

No

On the route, have you ever seen any gates? YES/NO

If yes, please give details (ie type and locations)

YES. GATES AND RAILS PUT IN PLACE TO HERD COWS INTO SPECIFIC FIELDS OFF THE TRACK.

Were the gates ever locked? If so when?

No.

On the route, have you ever seen any obstructions, such as fences, buildings etc? YES/NO

If yes, please give details

On the route, have you ever seen any notices? YES/NO

If yes, please give details

A WHITE POST WITH NETHER MOOR FARM WRITTEN ON IT AND POINTING UP THE TRACK TO THE FARM.

On the route, have you ever seen any signposts or waymarks? YES/~~NO~~

If yes, please give details of location and wording of the notice.

AS MENTIONED ON LAST QUESTION A WHITE SIGNPOST
POINTING TO THE FARM, POSITIONED AT THE END OF TRACK
ONTO SANDY HANE.

Has anyone ever challenged you when using the route? ~~YES~~/NO

If yes, who was it, when did it happen, how often and what did you do

Has the route always run over the same line? YES/~~NO~~

If no, please give details and dates of changes

Has the surface or any structure on the route been maintained by the local authority? ~~YES~~/NO

If yes, please give details

PART D

Land Owner

If known please give name(s) and address(es) of the owner(s) and or occupier (s) of the land over which the line crosses

BRADLEY FAMILY - FOR 4 GENERATIONS.
NETHER MOOR FARM
SOUTH CROSLAND
HUDOS HO4 7BX

Have you ever been give permission to use the route by the landowner? YES/NO

If yes, please give details

NO PERMISSION REQUIRED AS VISITING THE FAMILY HOME.

Have you ever been employed by the owner or occupier of the land? ~~YES~~/NO

If yes, please give details

If you were ever employed by the owner or occupier of the land what instructions or information, if any were you given about the route?

Have you or your family ever owned or rented any land or property crossed by or adjacent to the route?

If yes, please give details

FAMILY OWNED FARM BY THE BRAOLEY'S.

Have you at any time had a legal interest in the land?

If yes, please give details

/

Are you aware of any old maps, deeds, photographs or any other documentary evidence that record or show this route and which may be of assistance in determining its status?

YES. ORDNANCE SURVEY MAP 1986 PASSED ON TO LAND OWNER.

Is there any other information which you feel would be of assistance?

YES. SEE ATTACHED LETTER.

Would you be prepared to attend a hearing, Public Inquiry or Court and give evidence if the need arose?

YES.

I hereby certify that to the best of my knowledge and belief, the facts that I have stated are true

Signed



Date

28/06/09.

ON THE ATTACHED MAP, PLEASE MARK THE ROUTE REFERRED TO IN THIS STATEMENT
PLEASE MARK ANY NOTICES, GATES, STILES, FENCES ON THE ROUTE YOU HAVE REFERRED TO
PLEASE SIGN AND DATE THE MAP

170 Moor Lane
Netherton
HUDDERSFIELD
HD4 7JJ

23rd June 2009

To Whom It May Concern

Re Access to Nether Moor Farm, South Crosland

My name is Catherine Dixon nee Bradley and I am the youngest daughter of the late Robert Arthur Bradley who owned and worked at Nether Moor Farm, South Crosland. I lived at the farm with my parents, brother and sisters from 1959 when I was born. Whilst I now live in Netherton I have obviously been a regular visitor to see my parents throughout my married life and I still walk across the land regularly and visit my brother and his family.

From a very early age my sisters and brother and I were brought up to understand the history of the Bradley family at Nether Moor. We were taught about the land and the business of dairy farming and we were involved in working on it with my parents as children. There was nothing else for us other than the farm. It was a way of life and everything to my father.

As a child I used to help my dad deliver the milk and we would drive out of the farm yard up the lane onto Sandy Lane, and I remember thinking hope we don't meet anyone coming the other way as the lane was so narrow. But this happened rarely and when it did it would be the milk tanker, vet or delivery vehicle.

My father was extremely proud of the fact that he could access all of his fields from the track that was put in by the Whitley Beaumont estate to service the land. He considered himself to be a very lucky man as most other local farmers have to travel on a public road to get from one area of land to another and he didn't have to do that. The track that runs through the middle of the farm has always been to serve the fields on either side of it to give access to the fields for cows and machinery without going onto the public road.

But to him and us the track was just that – a track through our farm for the farm owner to work his land. It was never travelled by any of our neighbours either by horse and cart or by vehicle and for someone to drive through without stopping to ask permission from my father was unheard of. People just didn't do that kind of thing. They had respect for other people's property and for us a farming family. This year in our local newspaper, a walker's route was published and on their map the lane in question was described as a track to lead on to Sandy Lane.

I remember when I was younger my Mum and Dad decided that they needed to tarmac some of the lane. I can remember my Mum telling me that it was going to cost a lot of money but they had saved up and that it would make that bit of track easier for the milk tanker and delivery vehicles. It was a big event in their lives that this work had to be done and paid for and it took some achieving. If it had been a public route one wonders then why my parents footed the bill? My father didn't ask the council to do the work as he considered it was his land, his track and his responsibility. The repairs on it now are undertaken by my brother as he too considers that it is his responsibility to do so.

My father or my brother have never stopped people walking or horse riding along the track and they accepted that this was a reasonable thing to do in the countryside but I can assure you that the general public or even local people have never used this track as a vehicular access to anywhere.

I hope this letter is suitable for your requirements but if you need to contact me again please do not hesitate to do so.

Yours sincerely

Catherine Dixon