

Claim Nether Moor Farm Hfld 231

Ref

159/12

PUBLIC RIGHTS OF WAY INFORMATION SHEET – WCA8**Personal Details**Name LEWIS OSTERFIELD Date of Birth [REDACTED] 24Address 73, WELLINGTON ROAD; LILLES HALL, NEWPORT,
SHROPSHIRE, TF10 9AQ.

Telephone Numbers

Home [REDACTED] Daytime [REDACTED]Occupation OIL MARKETING CONSULTANT - SEMI RETIREDHow many years have you lived at the above address 8 YEARSWhere did you live previously 261, MELTHAM ROAD, NETHERTON, HUDDERSFIELD
HD4 7HLHow many years have you lived in the area 78 YEARSYear from 1924 Year to 2002

The object of this questionnaire is to reach the truth of the matter, whatever it may be, You 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

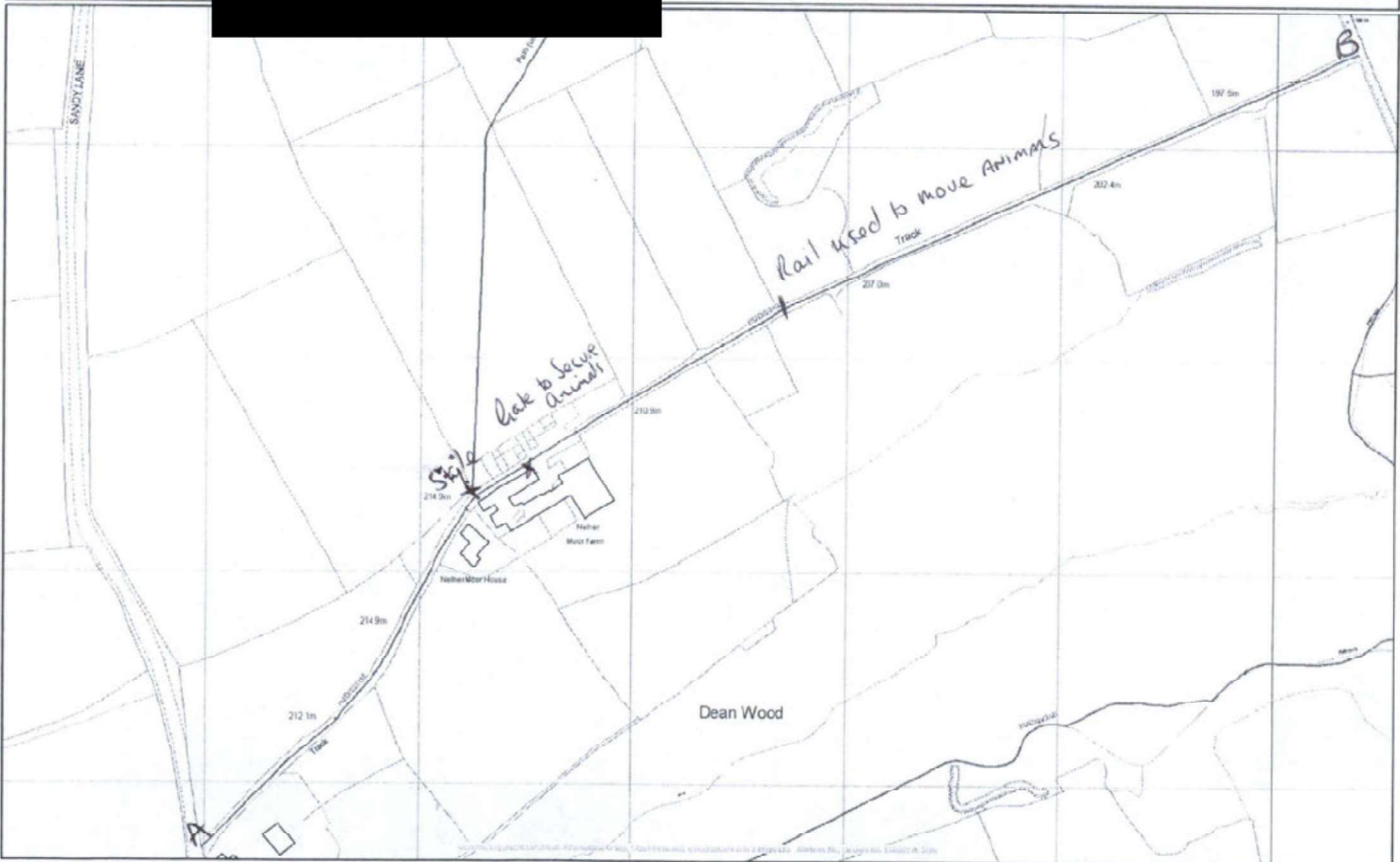
This form should be completed by the one person who is named above – Please use black ink

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



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Scale 1/2500

Date 24/6/2009

Centroid = 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

SANDY LANE

to

NETHER MOOR ROAD

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

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

IT WAS ALWAYS A ROUTE FOR DRIVEN ANIMALS TO THE FARM AND FIELDS ON EITHER SIDE

PART B USE OF THE ROUTE

Which years have you known the route (eg 2006)

From 1927

To DATE.

Which years have you used the route (eg 2006)

From NEVER

To

For what purpose?

THIS ROUTE WAS ALWAYS A PRIVATE TRACK TO THE FARM AND NOBODY USED OTHER THAN THE FARM OWNER (BRADLEY)

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

NEVER

Have you seen other people using the route? YES NO - NOT THE PUBLIC

If yes, for what purpose

THE FARMER USED THE TRACK TO GET TO HIS LAND AND FOR HIS ANIMALS TO BE MOVED AROUND

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)

IT WAS NEVER A SHORT CUT FOR ANYONE TO USE

What is its surface?

ROUGH, BROKEN STONE TIPPINGS FROM QUARRY. ALWAYS OVERGROWN

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)

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

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

INTO FIELDS FROM LANE, GATE MARKED ON MAP BY FARM BUILDINGS TO SECURE ANIMALS

Were the gates ever locked? If so when?

NOT LOCKED BUT LOOSE HOOKS TO HOLD IN PLACE

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

If yes, please give details

RAILS & MOBILE GATES TO HERD CATTLE

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

If yes, please give details

SIGN FOR FARM AT SANDY LAKE END

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.

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

MY MOTHER x GRANDMOTHER x GRANDFATHER x UNCLE ALWAYS
TOLD ME I WAS NOT ALLOWED TO WALK ON THE LANE AS
IT WAS PRIVATE LAND

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

ROBERT EDWARD BRADLEY
JH BRADLEY & SONS
NETHER MOOR FARM
SOUTH CROSLAND, HUDDERSFIELD, HD4 7BX

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

If yes, please give details

ONLY GO TO FARM FROM SANDY LANE TO FARM ON
BUSINESS NOWADAYS

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

YES, MY GRANDPARENTS OWNED THE FARM CALLED KNOLL FARM AT THE SANDY LANE END. NOW KNOWN AS GREEN GATE KNOLL GATE ACCESS CROSSING END OF LANE FOR ANIMALS

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

If yes, please give details

NO.

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 - WITH OWNER

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

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

29.6.2009

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

73 Wellington Rd

Lilleshall

Newport, Shropshire

6.7.09 T.F. 10 9HR.

Dear Sir or Madam

The 'bit' of road in question to Methermoor Farm is neither road, bridleway, or foot path in any way, just a means for the movement of animal & tractor drawn implements to service field work.

I have first hand, long term knowledge of the way this 'access road' has been used in both the recent & more distant past from personal experience over many years.

I was born at 261 Meltham Rd (Big Valley) 26.8.24 & spent the first 6 years of my life before school (to '29-'30), walking to Knowle Farm (now Greengate Knowle). The farm adjacent to Methermoor Farm, with my sister & parents to visit & stay with my grandparents Haig & Nellie Mellor & family, who lived & farmed Knowle Farm from the late 1800's (1870) onwards until their deaths approx 1938.

As I grew older, I was continually reminded by the family of the right way home (to Big Valley) - not through 'Bob' Bradley's (or it was known then) Farm & the private road or lane, so we or anyone else used the Dean Wood pathway, (it was very safe then, it was & I know & experienced it, we were told (not asked) & did the rightful thing & respected other people's land & property & of course the movement of cattle & horses.

I have worked in oil marketing for the past 54 years (& still doing so on a part time basis) for Shell total & BP all over the area (West Yorkshire) covering Industrial, Agricultural & Domestic oil supply over a very wide area & do see & recognise what applies to public & non public rights of way, relating to access to delivery points for oil tankers of all sizes to all businesses, consequently being very aware of any changes, in what one can & cannot do.

So would I (after or before all my years) take this 'short cut' ~~cut~~^{bit} of a lane to Nethermoor Farm No! definitely not, it is clearly not suitable anyway for normal road car traffic.

Who maintains this lane anyway? - Bradleys, always have done. To me this track means going smack through the farm & where one lives, where there are children possibly & always cattle on the move.

So to explain myself, you have my word in honesty & fairness, which is my 'Hallmark' & why I'm still doing the amazing amount of business & work, month after month year after year. Believe me, go back to Medieval times, maps or no maps, back to Roman if one comes to, this bit of joining lane is & has been, & always should be PRIVATE - simply no question, should not even have to be discussed - unbelievable ^{cause??}, unreasonable, unfair people? The likes of which, we haven't witnessed before downright absurdity. Sincerely - [redacted]

RS. I served in the RAF 1941-1946. on operational service Overseas Middle East - Far East 43-46 - very lucky to survive!!