

Wildlife and Countryside Act 1981

The Kirklees Council (Huddersfield Public Bridleway 231 Sandy Lane to Nether Moor Road, South Crosland) Public Path Modification Order 2018 (“Order”)

Statement of Case on behalf of the Objectors, Mr and Mrs Bradley of Nether Moor Farm, Sandy Lane, South Crosland, Huddersfield HD4 7BX (“Objectors”)

PINS Reference: ROW/3202859

Proof of Evidence of David George Boothroyd on behalf of the Objectors

1. Introduction

- 1.1. My name is David George Boothroyd. My address is 80 Lea Lane, Netherton, Huddersfield HD4 7DP.
 - 1.2. I am a retired dairy farmer.
 - 1.3. I have prepared this Proof of Evidence in support of the Objectors to the Order. I was a 3rd generation farmer in South Crosland and was a neighbour of the Bradley family who live and work at Nether Moor Farm, Sandy Lane, South Crosland, Huddersfield HD4 7BX (“Farm”). My personal relationship with Edward Bradley spans over 46 years and our fathers and grandfathers before us were farming colleagues, friends and much respected members of the local community.
 - 1.4. I intend to attend the public inquiry into whether the Order should be confirmed, which I understand from the Objectors is due to commence on 29 January 2019.
 - 1.5. The facts and matters set out in this Proof of Evidence are within my own knowledge unless otherwise stated, and I believe them to be true. Where I refer to
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information supplied by others, the source of the information is identified. Any facts and matters derived from other sources are true to the best of my knowledge and belief.

- 1.6. Where I refer to documents within this Proof of Evidence, these are to documents taken from the Objectors' document list. Unless stated otherwise, a reference to a page number within this Proof of Evidence is to the corresponding page of the Objectors' document list (e.g. **OBJ/1**).


2. Evidence

- 2.1. My knowledge of the Order Route is that it is there to serve the fields on either side of the Order Route for the day to day running of the Farm. Milk Tankers and delivery vehicles normally only access the Farm from the Sandy Lane end (Point Z of the Plan at OBJ/1). I have always known the Order Route belonged to the Bradley family and was part of the Farm. I knew that they had bought it from the Whiteley Beaumont Estate in the 1950s when my father bought our farm.
- 2.2. I always asked for and received permission from a member of the Bradley family to use the Order Route from an early age when I was walking to and from Moor End High School when I walked with my brother Leon and Edward Bradley as we were at school together. My own four children have also had permission from the Bradleys to walk along the Order Route, also to get to Moor End High School.
- 2.3. When we were growing up together I was told by Edward that the local horse riders that occasionally appeared in the Farm's yard when we were playing in the Farm's yard or along the Order Route were coming through with Arthur Bradley's permission. As a young man I have helped out at the Farm at silage time (around May or June time each year) and during those times have seen an odd rider now and again. The movement of the machinery up and down the Order Route when silaging would have prevented the use of the Order Route by anyone other than those of us who were silaging. That is still the case today.

2.4. I do know that when the Bradleys stored straw in sheds on the north side of the Order Route that we used to push the bales in with a tractor so far and then the rest of the way had to be manually pushed into the shed whilst the tractor and trailer completely blocked the Order Route. If anyone came along the Order Route they had to turn around because it was blocked.

2.5. I recall that the Bradleys used rails and gates to manage the track and the flow of livestock to and from the fields. When the rails were up and the gates shut the cattle were the priority. I confirm that the rails/gates referred to at Points A, C, D and F on the Plan at OBJ/1 (as well as a further rail/gate just to the south west of Nether Moor House to the left of the words "Nether Moor House" on the Plan at OBJ/1) have been in place for as long as I can remember, with the exception of the blue gate at Point A which deteriorated over time before eventually being removed by the Bradleys.

I believe that the facts stated in this Proof of Evidence are true.

Signed:


Name: DAVID GEORGE BOOTHROYD

Dated: 01-01-2014