

Claim Nether Moor Farm Hfld 231

Ref

159/3

## PUBLIC RIGHTS OF WAY INFORMATION SHEET - WCA8

## Personal Details

Name MRS HELEN CLARK Date of Birth [REDACTED] 54

Address 45 OSPREY DRIVE  
NETHERTON  
HUDDERSFIELD HD4 7LG

## Telephone Numbers

Home [REDACTED] Daytime [REDACTED]

Occupation FOREIGN EXCHANGE CASHIER (PARTTIME).

How many years have you lived at the above address 11 YEARS.

Where did you live previously

(1977-1998)	(1975-1977)	(1954-1975)
14 BRIAR AVENUE MELTHAM HOLMARTH HD7 3LQ	52 VIRGINIA RD MARSH HUDDERSFIELD	NETHER MOOR FARM SOUTH CRASLAND HUDDERSFIELD HD4 7BX

How many years have you lived in the area 54 YEARS 11 MONTHS.

Year from 1954 Year to 2009

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

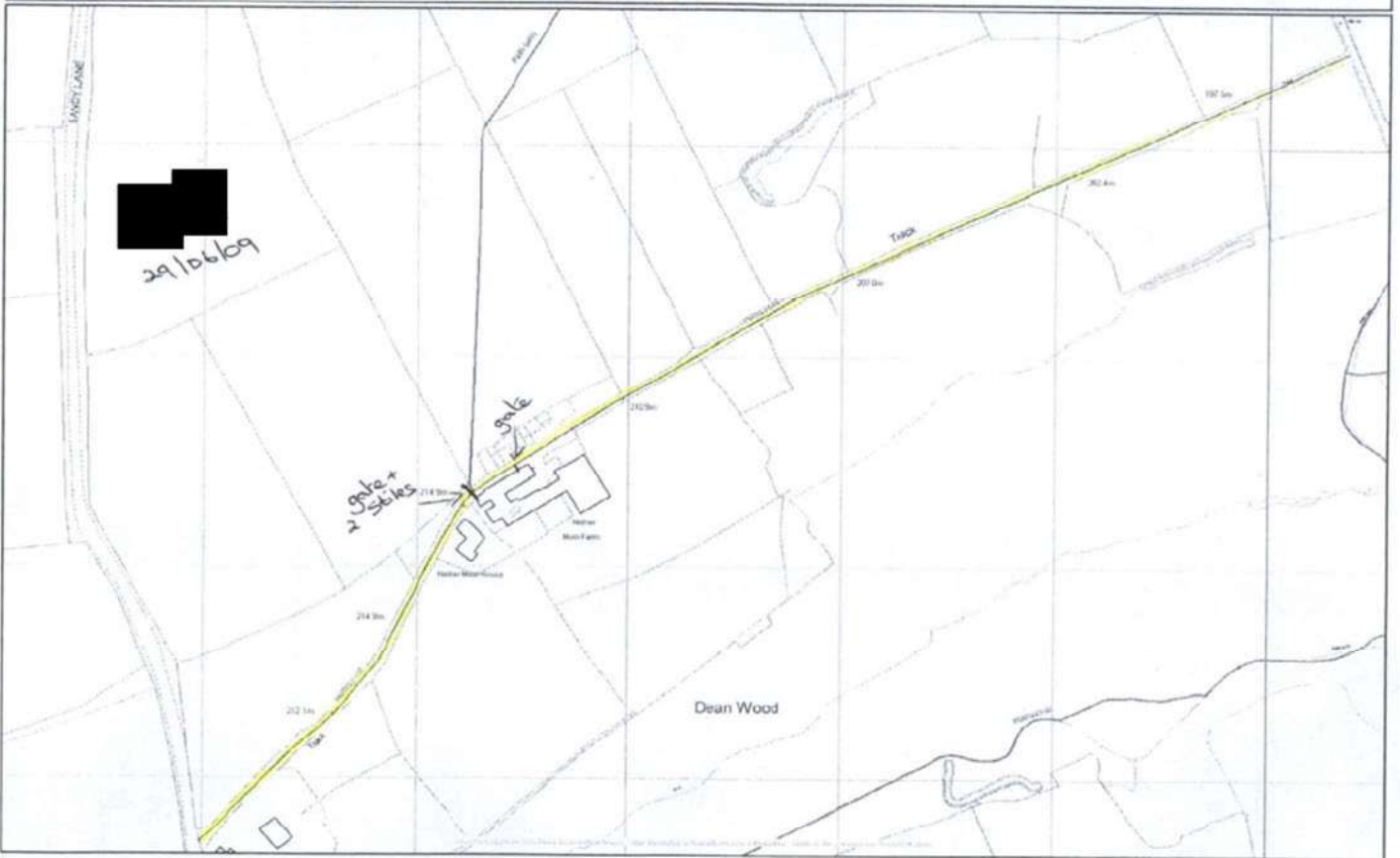
**This form should be completed by the one person who is named above - Please use black ink**

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

Grid Reference = 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

**PART B USE OF THE ROUTE**

Which years have you known the route (eg 2006)

From

1954

To

2009

Which years have you used the route (eg 2006)

From

1954

To

2009

For what purpose?

FROM BIRTH TO DATE OF MARRIAGE (1954 TO 1975) LIVED AT THE FARM  
FROM 1975 TO PRESENT DATE USED ROUTE TO VISIT FAMILY AT FARM.

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

DAILY WHILST LIVING AT FARM AND THEN WEEKLY WHEN VISITING FAMILY - SOMETIMES MORE THAN ONCE A WEEK.



Have you seen other people using the route? **YES** NO

If yes, for what purpose

PEOPLE OUT WALKING  
PEOPLE WALKING DOGS  
HORSE RIDING  
OCCASIONALLY PEDAL CYCLISTS.

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) WIDTH VARIES —  
MAJORITY OF ROUTE IS ONLY WIDEN ENOUGH  
TO TAKE ONE VEHICLE WITH A GRASS VERGE EACH  
SIDE — APPROX 8 OR 9 FEET?

What is its surface?

NATURAL SURFACE — SAND, STONE + DIRT WITH  
SOME TARMAC SCALPING AND A GRASS BANK  
ON EITHER SIDE

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)

GATE + STILE WERE SITUATED ACROSS THE ROUTE — DURING MY LIFETIME AT  
THE FARM THESE WERE USED BUT NO LONGER EXIST. THE OTHER STILE (STONE)  
LEADS TO THE FOOTPATH ACROSS THE FIELDS AND STILL EXISTS.  
~~THE OTHER GATE IS USED FOR ANIMAL MANAGEMENT~~

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

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

SEE ABOVE — THE OLD GATE WAS WOOD AND THE STILE AT THE SIDE  
STONE  
THE OTHER GATE AT THE BACK OF THE BUILDINGS IS METAL AND USED  
FOR ANIMAL MANAGEMENT

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

METAL RAILS ARE USED ACROSS THE ROUTE TO HELP WITH THE  
MOVEMENT OF CATTLE — THESE ARE USUALLY BETWEEN THE  
FARM AND NETHER MOOR ROAD

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

If yes, please give details

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.

A SIGN FOR "NETHER MOOR FARM" WAS FOR A SHORT TIME PLACED AT THE SANDY LANE END OF THE ROUTE. THE SIGN WAS MADE OF WOOD

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

ROBERT EDWARD BRADLEY  
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 FAMILY OWNED

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 GREAT GRANDPARENTS, THEN MY GRANDPARENTS RENTED THE LAND  
THEN MY FATHER AND UNCLE PURCHASED THIS LAND, WHICH MY  
BROTHER NOW OWNS**

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?

**VARIOUS MAPS AND DOCUMENTS NOW WITH THE LANDOWNER .**

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 **29-06-09** .....

**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**

45 Osprey Drive

Netherton

Huddersfield

HD4 7LG

29 June 2009

To Whom It May Concern

Re: Access to Nether Moor Farm, South Crosland

My name is Helen Clark, nee Bradley, I was born on [REDACTED] 1954, one of four children who lived at Nether Moor Farm, South Crosland with our parents Robert Arthur and Edith Margaret Bradley. I am the eldest of the fourth generation of the Bradley family who have lived and farmed there for over 100years. We are one of the oldest families living in this area and take great pride in that fact.

My great-grandparents and then my grandparents rented the farm before my father and his brother (my uncle), who in 1953/54 were asked to purchase the farm from the Whitley Beaumont Estate, this was not easy for the two young newly/nearly married brothers. My parents said it was a big step and that money was very tight. My father was a hardworking, honest man who was very proud of this achievement of buying this farm – he considered it one of the best in the local area as all the land could be accessed without having to use the public highways of Sandy Lane and Nether Moor Road as it had its own private lane.

The lane runs from Sandy Lane through the middle of the farm buildings down to Nether Moor Road. On each side of the lane are the farm buildings, used to house livestock and machinery and these are constantly in use today as they were in the past.

As a child growing up on the farm, I remember the occasional walker and a few horses using the lane, I rode horses on the lane during my teens, we never encountered motor vehicles as this was, we were told, a bridle path, not a through road. Only vehicles belonging to family, friends and business associates used the lane to the farm, then only from the Sandy Lane end. If anyone travelled up from Nether Moor Road it would only be a neighbour on a tractor coming to see my father for a chat.

As the lane was formed in the natural landscape of stone and sand, erosion by the weather caused rock to become prominent at one point and my parents thought long and hard before having this stretch tarmaced at "great expense" to them. My father, and now my brother, used crushed stone from the local quarry to fill in the potholes and more recently tarmac scalping - they have never sought funding for this from the Local Authority, as this was their lane and therefore their responsibility.

I lived at the farm until I married in 1975 and since then have always visited the farm on a very regular basis and over these years have never known the lane to be used as a through byway, it was formed to serve as an access lane solely to enable the land to be farmed. It is a narrow single track – vehicles could not pass on the lane. My father was happy to allow the walkers and horse riders to use the lane but anyone in a vehicle would have been challenged. On the very rare occasion that a neighbouring farmer wanted to travel the length of the lane permission was always sought first from my father and now from my brother.

It is important that my brother is able to use this lane safely to move the livestock between the farm and the fields, as previous generations have done, this has involved the use of rails and gates to keep the animals in a confined area at different times of the day. This has never caused a problem in the past as this lane was known as a private farm track and the public only used it as this.

If you would like any further information or clarification please contact me and I will be only too happy to assist you.



Helen Clark