

Notice of Decision

Definitive Map Modification Order

Wildlife and Countryside Act 1981

The Definitive Map and Statement of Public Rights of Way for the County of Lancashire

Name and Address of Applicant

Trawden Forest Parish Council, C/O Trawden Forest Library & Shop, Church Street,
Trawden, Colne, Lancashire, BB8 8RU

Particulars

File number: 804-664 (888.2458)

Date of determination: 27 November 2024

Modification Proposed

Addition of Footpath from Rosley Street to Trawden Road via Bright Street, Winewall, Trawden

Particulars of the Decision

In pursuance of their powers and duties under the Wildlife and Countryside Act 1981 and in accordance with Section 53(5) and Schedule 14 of the 1981 Act, Lancashire County Council have investigated the matters set out above.

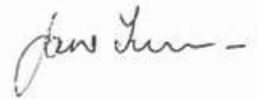
Notice is hereby given that Lancashire County Council have determined to make an Order to modify The Definitive Map and Statement of Public Rights of Way for the County of Lancashire in accordance with the application. The Order will not necessarily be promoted to confirmation. The matter is to be returned to Committee to decide what stance to take regarding confirmation.

The reason for the County Council's decision is:

The Regulatory Committee, having taken all relevant evidence into account, determined on balance, based on the documentary and user evidence submitted to committee, that it could be reasonably alleged that a dedication be deemed under the provisions of s31 of the Highways Act 1980 or dedication inferred under common law and an order should be made. The decision regarding whether the authority will promote to confirmation or take a different stance will be made at a later date.

Date: 20 May 2025

Signed:



(Principal Lawyer for and on behalf of the
Director of Law and Governance)

NB: Important guidance notes are provided overleaf

Heloise McAndrew
Director of Law and Governance
PO Box 100
Preston
PR1 0LD

Guidance Notes

1. Where the County Council decide **to make an Order**, steps will be taken to prepare the Order to bring this decision into effect. At that time, a copy of the Order and plan together with a Notice giving details of the Order will be sent to you and details will also be published in the local press and displayed on site.
2. It is important to note that this Order has no legal effect until such time as it has been confirmed by the Local Authority and until that time, the route has the same legal status as it does today.
3. Where the County Council decided **not to make an Order**, the Applicant may, in accordance with Paragraph 4 to Schedule 14 of the Wildlife and Countryside Act 1981, **AT ANY TIME WITHIN 28 DAYS AFTER THE SERVICE ON HIM OF THE NOTICE OF THE DECISION**, serve a Notice of Appeal against that decision on the Secretary of State and the County Council.

4. Your appeal should be made to:

Rights of Way Team,
The Planning Inspectorate,
Room 3/25, Hawk Wing,
Temple Quay House,
2 The Square,
Temple Quay,
Bristol
BS1 6PN

5. A copy of the Notice of appeal must also be sent to the County Council:

Legal and Democratic Services
(REF: LSG4/PROW/SM18/888.2458)
PO Box 100
County Hall
Preston
PR1 0LD

6. If, on considering the Appeal, the Secretary of State considers that an Order should be made, he will direct the County Council to make an Order accordingly.