

RECORDED DELIVERY

Clerk to the Council
Ribchester Parish Council
16 Church St
Ribchester
Preston
PR3 3XP

Phone: 01772 531280
Email: simon.moore@lancashire.gov.uk

Your ref: -
Our ref: LSG4.SM18/888.3939
Date: 28 April 2025

Lancashire County Council does not
accept service by e-mail.

Dear Sirs,

**RE: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III
DEFINITIVE MAP MODIFICATION ORDER
RECORDING RESTRICTED BYWAY FROM CHURCH STREET TO
WATER STREET, RIBCHESTER (THE WEIND) DEFINITIVE MAP
MODIFICATION ORDER 2025**

The Public Rights of Way team at Lancashire County Council has conducted a Definitive Map Modification Order investigation regarding public rights from Church Street to Water Street, known locally as The Weind, Ribchester.

The county council's Regulatory Committee, at their meeting on 25 September 2024, agreed that the findings of the investigation should be accepted. Accordingly, I enclose the formal Notice of Decision.

The county council will make Orders to record the status of this route on the Definitive Map and Statement of Public Rights of Way in due course. At that time, should you wish to do so, there is a right of objection or representation, and details of the Definitive Map Modification Orders will be forwarded to you at that time which will give the details of how such representations may be made prior to confirmation. The Orders do not take effect until confirmed.

I think you will find the contents of this letter and Notice to be self-explanatory but, if there is any further help or assistance you require in this particular matter, please do not hesitate to contact me.

Yours faithfully



Simon Moore
Solicitor

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

Lancashire County Council, PO Box 100, Preston, PR1 0LD

Particulars

File number: 804-771 (888.3939)

Date of determination: 25 September 2024

Modification Proposed

Investigation into public rights from Church Street to Water Street, Ribchester

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 matter 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 investigation.

The reason for the County Council's decision is:

The Regulatory Committee, having taken all relevant evidence into account, determined on balance that, based on the documentary evidence submitted to committee, a vehicular highway could be inferred to have been dedicated under common law along the route under investigation, however the Natural Environment and Rural Communities Act 2006 would have extinguished mechanically propelled vehicular rights and an Order should therefore be made to record restricted byway from Church Street to Water Street, Ribchester.

Date: 28 April 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 Services
(REF: LSG4/PROW/SM18/888.3939)
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.