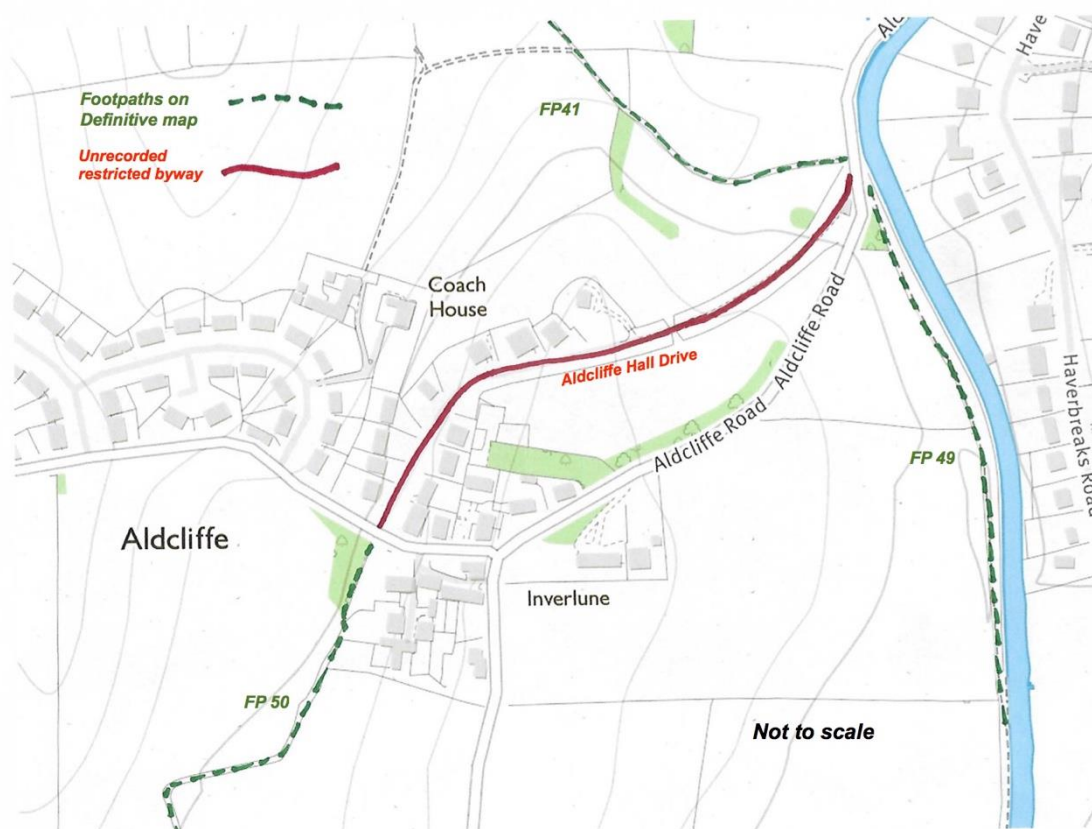


Aldcliffe Hall Drive – Public Right of Way report

The route

Aldcliffe Hall Drive is 0.27 miles long (435 metres) and runs roughly from north-east, to south-west from a point on Aldcliffe Road (SD 46941 60399), between two large stone gate posts beside East Lodge (a grade 2 listed building), to the junction with Aldcliffe Hall Lane (SD 46607 60167) and links the established footpaths FP41, FP49 and FP50 (see map below). The Drive has a tarmac surface, is about 3 metres wide and is currently a private road providing access to houses although some concrete bollards near Ashlar Lodge, at about half way along and at the highest point, prevent it being a through route for vehicles. It has been used as a route for pedestrians, cyclists, wheelchairs and pushchairs for thirty years or more. The northern section of the Drive is between two lines of trees with a grass verge and grazing fields beyond, the southern section has kerbs and pavements with houses set back on either side. As our evidence will show, in living memory Aldcliffe Hall Drive has been used as a public right of way for pedestrians, cyclists and at times, horses.



History

The Drive was originally the main access to Aldcliffe Hall which was demolished in 1960 and it appears on the earliest Ordnance Survey maps from 1852:



The access to Home Farm and the village of Aldcliffe was via Aldcliffe Road and a turning onto Aldcliffe Hall Lane (originally Railway Crossing Lane). This route has become the vehicular access to the southern end of Aldcliffe Hall Drive and to the houses of Oaklands Court on the site of Aldcliffe Hall itself. There is no evidence that the route of the Drive has changed but since the erection of concrete bollards at the highest point, roughly halfway along the drive, sometime in the 1960s, vehicles cannot pass along its full length.

Gathering evidence of use as a public right of way

To establish that Aldcliffe Hall Drive has been used as a public right of way for at least twenty years or more, local residents in Lancaster were asked about their use of the route. The request was sent on behalf of Aldcliffe-with-Stodday Parish council through local residents' newsletters in Fairfield, Haverbreaks, Scotforth and Aldcliffe itself. 88 initial emails were received by the Working Party set up by the Parish Council who then sent out Lancashire County Council PROW Evidence Statement forms asking those who had used the Drive to complete and return them. A form was also delivered to each house on Aldcliffe Hall Drive and some were passed on through personal contacts. Between 15/08/17 and 15/10/17 a total of 109 Evidence Statements were returned – not all those who indicated in initial emails that they used the Drive returned forms but some forwarded emails and personal contacts led to more forms being returned. Two forms were returned by local

councillors who use the Drive (Abi Mills, City Councillor, Scotforth Ward; Gina Dowding, County Councillor) and two Scotforth Ward City Councillors who are not regular users send a letter of support for the PROW (Ronnie Kershaw; Sheila Denwood). Because not every question was answered on each form and the form was not designed around a coding frame, the Working Party decided not to attempt any statistical analysis or even to use percentages. Instead raw counts of answers that were the same have been used to summarise this corpus of evidence forms.

Summary of evidence received

70 respondents had used the route for twenty years or more and 39 had used the route from at least thirty years ago. 68 reported that there had been no gap in their use of the route – where they were noted, gaps were mostly of a few years. The Evidence Statements were issued with a map and note explaining the route at issue but even so, in line with the Statement form, 78 people offered a description of the route and 47 supplied a map; many used the map they were given but a number did construct their own maps. No one described a route or drew a map that varied from the route indicated above.

81 respondents said that the route should be recorded as a restricted byway, 17 as a bridleway, 10 as a footpath and 1 as an open byway.

The dominant usage reported was on foot: 17 people said they used it daily, 46 used it weekly, 20 monthly and 17 every few months. Use by bicycle was high: 4 people cycled on it daily, 24 people weekly, 22 monthly and a further 22 every few months. 3 respondents said they cycled on the route yearly but no respondent mentioned using the route either on horseback or by car (no one could follow the whole route by car).

We counted up to three 'uses' of the drive for each respondent. 74 people said they used it for 'pleasure', a further 11 for 'leisure'. 16 people mentioned 'exercise', a further 5 specifically mentioned 'running' and 4 mentioned 'walking'. 9 people mentioned 'dog walking' and 11 mentioned 'visiting friends'. While these leisure activities were clearly dominant with other people saying that it was a 'scenic route' and a place for being 'with family', 9 people said that it was a route 'to work', and 9 said it was a walking route to the city and others mentioned 'shopping'. 4 people mentioned taking children to school and 7 people mentioned that the Drive was a 'safe route' while answering about how they used it.

People's usage was clearly linked to where they lived; those living in Aldcliffe itself (16) were more likely to use the Drive to connect with the canal towpath to get to town, the shops and work, while those living in the City Centre (11) or nearby districts on the south and west of Lancaster at Haverbreaks (13), Scotforth (14), Fairfield (11), Marsh (12) and around Aldcliffe

Road (13) were more likely to see the Drive as a leisure route leading away from the City towards the multi-use path beside the open space of the Lune Estuary.

Users reported seeing others using the same route – 105 reported seeing people on foot, 94 seeing people on a bicycle, 31 saw people on horseback and 16 people in motor vehicles (residents on the Drive have vehicular access). One person mentioned seeing someone on a motorised mobility scooter. 107 stated that these other users were using the same route as themselves and 94 stated that the route had stayed the same over their period of use (9 people said they 'didn't know' and two left the answer blank; no one suggested an alternative route or that the route might have changed). Respondents described the width in different ways (e.g. car's width, 2-3 metres, 8-15 feet, single track, 3-4 walkers wide etc.). The width of the route does vary somewhat, particularly between the northern (3 metres) and southern sections (4 metres) but no one suggested that the route was narrower than 2 metres or as narrow as a footpath. A number said the route was at least wide enough for cars and while most respondents said the surface was tarmac (77), others said it was 'metalled', 'hard' or a 'road surface' – some left the answer blank. No one suggested the surface was unmade, grass, bare earth or loose stone. One person mentioned 'tarmac-gravel' and where the surface has broken down it is somewhat like gravel.

No respondent reported stiles on the route (97 said 'no' clearly, 3 'didn't know' and the rest omitted this question). Only one respondent reported seeing gates across the route. This was because there are gates on the fields on either side of the northern section of the Drive that when opened together to move stock from one side to the other, temporarily block the drive. At some point in the past there was a single gate mounted on the gateposts at the north-eastern end of the Drive that some respondents remembered but no one remembered this gate ever having been shut. A couple of respondents reported having seen 'open gates' and one said: "I recall there was a gate at the entrance of Aldcliffe Lodge but it was always wide open, never found it closed." (AM) This respondent who had lived on Haverbreaks from 1946 to 1968 also said: "In childhood regularly and very frequently I walked and bicycled along the path on my own and with my friends going out freely to play at various times of day and even into early evening as I became older into my teenage years. I have a general memory that I came across other people using this path... This path was a frequent chosen location as a cycling route as far as the disused railway line at the end of Aldcliffe Lane and for access to the Lune marsh land." (AM) Another respondent, a resident on the Drive since the 1960s and the author of a widely-used history of Aldcliffe, said: "Historically there was a single span gate hung between the large gateposts alongside East Lodge... In my residency in Aldcliffe, the main gate was never closed and fell off its hinges in the 1960s." (NW)

Although 25 people simply said there were no barriers on the route, 66 people mentioned the bollards (15 omitted the question and one didn't know). 99 people reported never having been prevented from using the Drive (8 people gave no reply, one person mentioned that they had been temporarily prevented from using the Drive while the field gates were open to move stock). All 109 respondents said that they did not know of anyone else being prevented from using the route and 101 said they had not seen any signs indicating the route was private (5 omitted a reply, 2 'didn't know'). A very small number of current local residents, particularly householders on the Drive expressed reservations on their Evidence Statements about horses using the route (e.g. by indicating their support for a restricted byway but crossing through the reference to horses).

107 people had not been employed by the landowner (2 omitted an answer), 96 said they had not been given permission by the landowner. Although most others omitted an answer, two people said they had been given permission by the landowner because they had express permission of access in their deeds as property owners on the Drive. 104 people had never been told that the route was not public – five said they had been, one because he had realised it from looking at an OS map, one was told by a local resident and three because it is clear from their title deeds as owners of houses on the Drive. Nonetheless all 109 respondents said they had never been stopped from using the route and none had heard of anyone else being stopped.

Most people did not offer any documentary evidence in support of the Drive as a public right of way, but one person said that it was mentioned in historical accounts and a number of people mentioned that it was part of a route in walking guides. One respondent said: "In my 2000 copy of Lancaster and Morecambe A-Z it is an open road" another said: "In 'Walks around Lancaster' (ISBN 0 9 04350 45 2) the route of Walk No. 4 follows Aldcliffe Hall Drive." Another respondent reported that: "'Walks around Lancaster', a brochure of walks produced by the Lancaster group of the Ramblers Association in 1994 (revised edition) uses Aldcliffe Hall Drive in Walk 17 as part of the route. Walk entitled 'Aldcliffe and the Canal'". In response to the 'other information' question there were a variety of answers but the most dominant theme was that it was a 'safe route' compared with walking or cycling up Aldcliffe Road which is narrow, has no pavements and has fast moving traffic. Some people mentioned the access it gives to the Lune estuary, others that it links footpaths. As one respondent put it, summing up how many felt: "It's a safer route for pedestrians and cyclists. Aldcliffe Road is narrow with high hedgerows. It's hard for traffic to pass. The top of Aldcliffe Hall Lane is steep which makes control difficult for younger / weaker cyclists. When my young nephew lived with me from 1981-6, I felt Aldcliffe Hall Drive was a safer route for him

and his friends to cycle to the river” (PG). The route is recorded on a Strava ‘heatmap’ that shows it is somewhat more popular with runners than with cyclists (<https://labs.strava.com/heatmap/#15/-2.82580/54.03497/blue/run>). Although it is only a few runners and cyclists that have recorded their use on Strava since 2015, the heatmap clearly shows the connection between Aldcliffe Hall Drive and other nearby routes, especially Lancaster Canal and the multi-use path beside the Lune Estuary. Another comment was “It has been used as a PRW for 37 years to my knowledge and although only ¼ mile provides a vital link between footpaths 41, 49 and 50 (see map) enabling exercise and leisure around the estuary (Lancashire Coastal Way), canal and Fairfield Nature Reserve. The alternative would involve a dangerous walk on a narrow road with no pavement from the Lodge at Aldcliffe Road / canal junction to Aldcliffe village” (PG). Another person from a different part of Lancaster said: “This route has, for over 37 years, provided me with access to beautiful countryside and not having to worry about being run over by cars and lorries” (ML). A view expressed in different ways by some respondents was: “It seems a very straightforward case of a right of way” (AL) and again: “Whenever I have used this route I have always assumed it was a public right of way. I have never seen any evidence to the contrary or ever been challenged whilst using it.” (JD)

79 people said they were willing to be interviewed and 72 that they would be willing to attend a public hearing.

Conclusions

All 109 respondents used their Evidence Statements to declare Aldcliffe Hall Drive as a route that they wanted to see recorded as a public right of way – the great majority would like to see it recorded as a ‘restricted byway’. There is a clearly expressed concern amongst a small number of local residents about use by horses but no one used the form or any direct communication to indicate that they did not think the route should be a public right of way. The evidence statements show that a significant number of people have used Aldcliffe Hall Drive either on foot or on cycle with great frequency over many years. The route has been treated as a public right of way for more than twenty years without any attempt by the owners or their agents to assert it as private or limit access, except as a through-route for cars. The theme of all the responses was to maintain access for the public in just the same way as it has been for the last half century. It only remains for Lancashire County Council to record the public right of way on their ‘definitive map’ to ensure it can continue to be used for pleasure, leisure and exercise by the residents of Lancaster (and visitors to the City) who can enjoy its safe, rural aspect as a pedestrian and cycle route to the SSSI site of the Lune Marsh, the coastal path and, for Aldcliffe residents, as a route to the amenities of the City.