

**WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53 DEFINITIVE MAP MODIFICATION ORDER**  
**APPLICATION: DMMO 12 – BUTT LANE, LACEBY**

Witness statement taken from Mrs. Jayne Herring of [REDACTED] Laceby [REDACTED] regarding the alleged public footpath running from Butt Lane to Footpath No. 110 Laceby. Taken on the 09/08/2018 by Anthony Wilson, Public Paths Officer.

This statement (consisting of 2 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that this statement will be used as evidence and could be used at a public inquiry.

I am aware that a copy of my statement will be made available on request if an order is made or in the event of a public inquiry being held to determine whether the order should be confirmed.

Signature

Date 16-08-2018

My husband Maurice and I have both lived in Laceby for some 40 years.

About that time 40 years ago, the land off Butt Lane and which backed onto the open fields at the rear and known as 'Aircrops', was allotments. These allotments however were not in use for long. There used to be a 5 bar wooden gate which gave access to a surfaced path or track which led to the allotments from Butt Lane. I don't think that this gate was ever locked.

The path which led to the allotments continued through and out onto the open fields at the rear. Not all of the path is surfaced and about half of it is natural.

I have drawn the route of this path using a red dotted line on a map which I have signed and dated. I now refer to this map as item. MJH / 1.

My husband and I both regularly used this path since our arrival in Laceby in 1978 to walk our dogs. I would say we used the path almost every day. We did however, stop using the path in 2017 when our dog died, and the current occupants of the properties adjacent the path became abusive to everyone. We do however intend to start using the path again very soon.

Our children also used to use this path to access Aircrops where they used to play quite regularly.

We discovered the path by exploring the area and also from what other dog walkers told us. It made a nice circular walk from our house through the 'old allotments' and out into the open fields. From there we could continue along the back of the houses in Longmeadows Drive and into Austin Garth past the British Legion.

I have never seen any signs prohibiting use of this path.

Signature

Date 16/08/2018

**Wildlife and Countryside Act 1981, Section 53 Proposed Definitive Map Modification**  
**Order: North East Lincolnshire County Council DMMO Ref. 12**  
**Witness Statement of Mrs. Jayne Herring of [REDACTED], Laceby [REDACTED]**  
**continued**

Between 1978 – 1985 I asked Dave Marshall from the Laceby Parish Council if we were allowed to use the path and he confirmed to me that we could, so I always took this to be a right of way.

The five bar wooded gate got changed to a metal gate about 10 years ago and about 6 years ago it was replaced by a metal kissing gate.

Not long after this gate had been installed I found that it had been chained and locked on several occasions. Each time the chain or lock was removed. I have been told by other people that Mr. Jagger, the occupant of one of the houses in Butt Lane adjacent the path was responsible for locking the gate. Laceby Parish Council eventually removed the swinging arm of the gate to prevent it being locked again.

Other than this I have never come across any other physical obstructions whilst out walking along this path. However, quite recently a short section of wooden fencing has appeared at the Aircrops end of the path. I have no idea who put it there or why. It doesn't seem to serve any purpose as it can be walked around and it doesn't stop access into or out of Aircrops.

On one occasion whilst walking along the path I heard Mr. Jagger shouting and sounding an air horn at me, in an attempt to startle me. No-one else has ever approached me and objected to my using the path.

I support this path being made formally a public right of way as it would be simply legalising what has always been accepted for years. It is also a nice circular walk which links in with existing public rights of way.

My husband and I both suffer with anxiety and would rather not attend any hearing that there might in future regarding this matter.

.....  
[REDACTED] ..... Mrs. J. Herring

Signature..... [REDACTED] .....

Date..... 16-08-2018 .....

**WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53 DEFINITIVE MAP MODIFICATION ORDER**

**APPLICATION: DMMO 12 – BUTT LANE, LACEBY**

Witness statement taken from Mr. Maurice John Herring of [REDACTED] Laceby [REDACTED] regarding the alleged public footpath running from Butt Lane to Footpath No. 110 Laceby. Taken on the 09/08/2018 by Anthony Wilson, Public Paths Officer.

This statement (consisting of 2 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that this statement will be used as evidence and could be used at a public inquiry.

I am aware that a copy of my statement will be made available on request if an order is made or in the event of a public inquiry being held to determine whether the order should be confirmed.

Signature..... [REDACTED] ..... Date .....

My wife Jayne and I have both lived in Laceby for some 40 years.

About that time 40 years ago, the land off Butt Lane and which backed onto the open fields at the rear and known as 'Aircrops', was allotments. These allotments however were not in use for long. There used to be a 5 bar wooden gate which gave access to a surfaced path or track which led to the allotments from Butt Lane. I don't think that this gate was ever locked.

The path which led to the allotments continued through and out onto the open fields at the rear. Not all of the path is surfaced and about half of it is natural.

I have drawn the route of this path using a red dotted line on a map which I have signed and dated. I now refer to this map as item. MJH / 1.

My wife and I both regularly used this path since our arrival in Laceby in 1978 to walk our dogs. I would say we used the path almost every day. We did however, stop using the path in 2017 when our dog died, and the current occupants of the properties adjacent the path became abusive to everyone. We do however intend to start using the path again very soon.

Our children also used to use this path to access Aircrops where they used to play quite regularly.

We discovered the path by exploring the area and also from what other dog walkers told us. It made a nice circular walk from our house through the 'old allotments' and out into the open fields. From there we could continue along the back of the houses in Longmeadows Drive and into Austin Garth past the British Legion.

I have never seen any signs prohibiting use of this path.

Signature..... [REDACTED] .....

Date.....



**Wildlife and Countryside Act 1981, Section 53 Proposed Definitive Map Modification  
Order: North East Lincolnshire County Council DMMO Ref. 12**

**Witness Statement of Mr. Maurice John Herring of [REDACTED] Laceby [REDACTED]  
[REDACTED] continued**

Some time ago my wife asked Dave Marshall from the Laceby Parish Council if we were allowed to use the path and he confirmed to me that we could, so I always took this to be a right of way.

The five bar wooded gate got changed to a metal gate about 10 years ago and about 6 years ago it was replaced by a metal kissing gate.

Not long after this gate had been installed I found that it had been chained and locked on several occasions. Each time the chain or lock was removed. I have been told by other people that Mr. Jagger, the occupant of one of the houses in Butt Lane adjacent the path was responsible for locking the gate. Laceby Parish Council eventually removed the swinging arm of the gate to prevent it being locked again.

Other than this I have never come across any other physical obstructions whilst out walking along this path. However, quite recently a short section of wooden fencing has appeared at the Aircrops end of the path. I have no idea who put it there or why. It doesn't seem to serve any purpose as it can be walked around and it doesn't stop access into or out of Aircrops.

I support this path being made formally a public right of way as it would be simply legalising what has always been accepted for years. It is also a nice circular walk which links in with existing public rights of way.

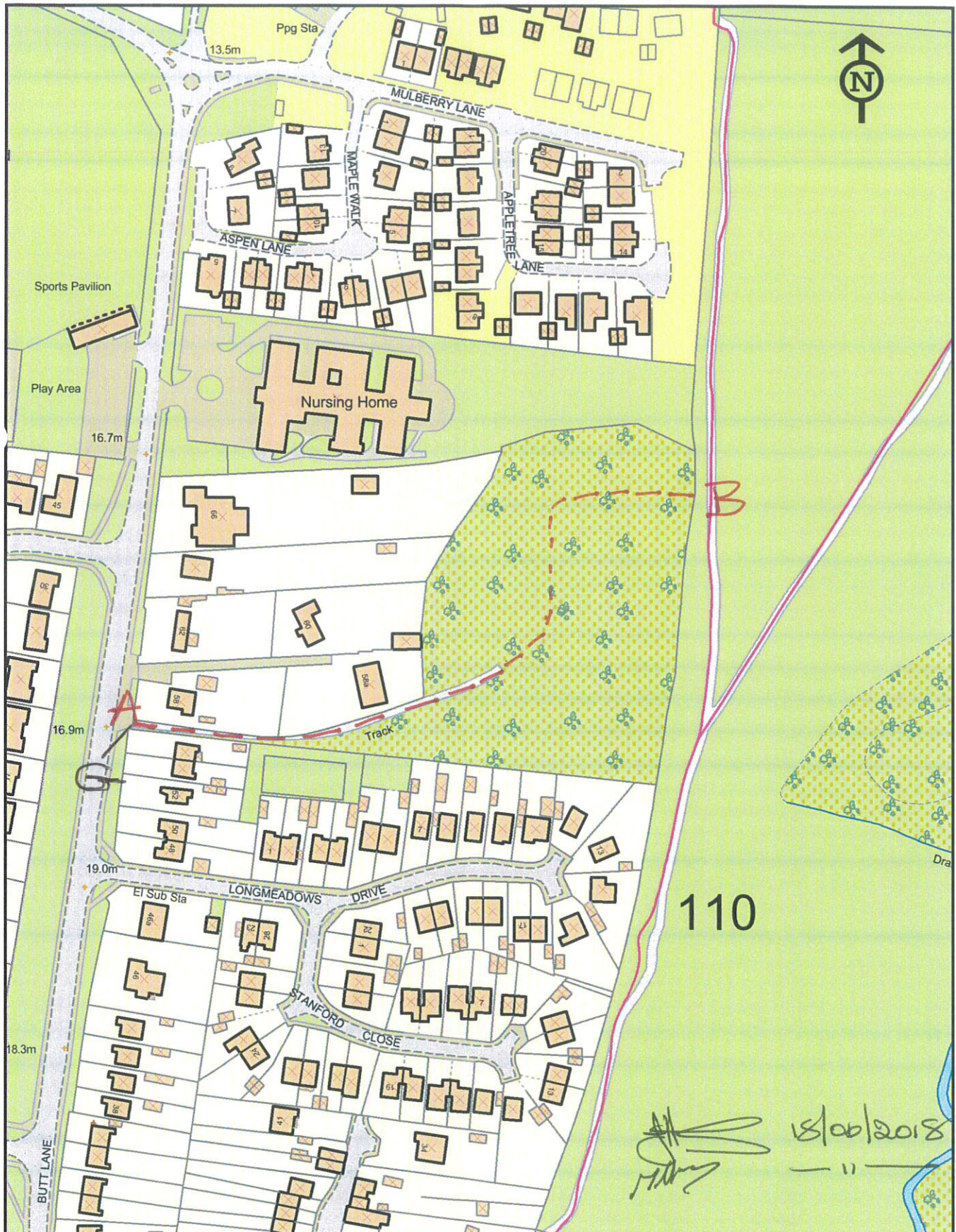
My wife and I both suffer with anxiety and would rather not attend any hearing that there might in future regarding this matter.

..... [REDACTED] ..... Mr. M.J. Herring

Signature..... [REDACTED] .....

Date.....



**Details**

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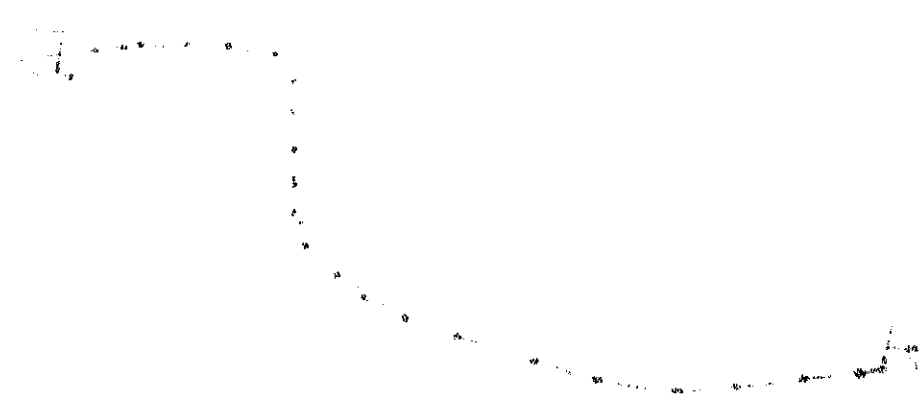
26/04/2018

File Pathname / Project / Drawing No.

North East Lincolnshire Council  
Civic Offices  
Knoll Street  
Cleethorpes, DN35 8LN

[www.nelincs.gov.uk](http://www.nelincs.gov.uk)

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**WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53 DEFINITIVE MAP MODIFICATION ORDER**

**APPLICATION: DMMO 12 – BUTT LANE, LACEBY**

Witness statement taken from Mr. Mark Andrew Barwood of [REDACTED], Laceby [REDACTED] regarding the alleged public footpath running from Butt Lane, through to public footpath No. 110, Laceby. Taken on the 02/08/2018 by Anthony Wilson, Public Paths Officer.

This statement (consisting of 2 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that this statement will be used as evidence and could be used at a public inquiry.

I am aware that a copy of my statement will be made available on request if an order is made or in the event of a public inquiry being held to determine whether the order should be confirmed.

Signature..... [REDACTED] ..... Date 15/10/18 .....

I am a structural engineer and I currently live at [REDACTED] Butt Lane, Laceby together with my wife Fiona.

I have always lived in Laceby apart from 1987 – 2000 when I worked <sup>MAB</sup> elsewhere. I have always lived in and around the Butt Lane area of the village. We moved to 50 Butt Lane in 2000 on my return to the area.

I recall as early as 1968 and as a child using the path which runs between Nos. 56 and 58 Butt Lane, Laceby as a route through to the open fields at the back, locally known as 'Haycrops'. A good two thirds of the path from Butt Lane has always been surfaced as long as I can remember and led through 'wasteland' and out on to the open fields. I have always known this path as being the 'Pit Path', and I used to use it to go playing in the open fields with friends and generally having a great time.

I have marked this route on a plan which I have signed and dated 21/05/2018 and now refer to as item MAB/1.

Even before my time and during the war my father used to go swimming in the disused quarry pit which used to occupy the wasteland and was filled with water. The Pit Path, through to the quarry from Butt Lane existed even back then.

The quarry was filled in during the 1970's and was capped in the mid to late 80's. I recall the area becoming allotments for a short while before the Council planted trees to create a wooded area on what was the wasteland. Around 6-10 years ago a kissing gate was erected at the Butt Lane end of the path, which I took as formal recognition that this path was, as I had always believed it to be, a public right of way.

Signature..... [REDACTED] .....

Date..... 15/10/18 .....

**Wildlife and Countryside Act 1981, Section 53 Proposed Definitive Map Modification**  
**Order: North East Lincolnshire County Council DMMO Ref. 12**  
**Witness Statement of Mr. Mark Andrew Barwood of [REDACTED] Laceby. [REDACTED]**  
**continued**

Throughout all the time I have been using this path, as a child to go playing in the adjacent fields and as I do now to walk the dog, no-one has ever approached me and told me that I cannot use it.

I have never seen any signage prohibiting use of this path and in fact around the time the gate was put in place I recall being told by two members of Laceby Parish Council, Mr. Dave Marshall and Mr. Paul Schofield that I was entitled to use it.

My wife and I currently use the path every weekend and 2 – 3 times during the week, to take our dog out for a walk.

There is only one person that I am aware of who objects to this path being used by the public and that is the occupant of No. 56 Butt Lane, Mr. Jagger. The path runs alongside his property and although he has never approached me personally I am aware that he has raised objections with the Parish Council.

I am aware that Mr. Jagger has also attempted to physically obstruct people from using the path, by placing a chain and padlock around the kissing gate on several occasions since the gate was installed. This prompted the Parish Council to remove the swinging rail of the gate to prevent it being further obstructed.

I stated in my evidence user form which I submitted in May 2018 that the gates have never been locked. I had assumed that the question (section 6) being asked was if they had ever been formally and legally locked which is why I answered 'No'. I am of course aware that Mr. Jagger had locked the kissing gate without authority on several occasions.

In 2004 North East Lincolnshire Council sent to me a 'Declaration of Title' claiming ownership of the land through which the Pit Path passes. The Council were at the time asking if there were any objections to their claim of ownership. As far as I am aware, there were no objections and the Council became the legal owners of the land.

The 'Pit Path' is a very useful and lovely little walk through a pretty wooded area and out into open fields where it conveniently joins up with an existing public right of way namely footpath No. 110, Laceby. The path has been used by me and many other people for many, many years without issue.

I would fully support the 'Pit Path' becoming a Public Right of Way and recorded on the Definitive Map as such.

[REDACTED]..... Mr. M.A. Barwood.

Signature.. [REDACTED].....

Date..... 15/10/18.....



**WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53 DEFINITIVE MAP MODIFICATION ORDER**

**APPLICATION: DMMO 12 – BUTT LANE, LACEBY**

Witness statement taken from Mrs. Julie Anne Dixon of [REDACTED] Laceby. [REDACTED]  
[REDACTED] regarding the alleged public footpath running from Butt Lane to Footpath No. 110 Laceby.  
Taken on the 10/08/2018 by Anthony Wilson, Public Paths Officer.

This statement (consisting of 2 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that this statement will be used as evidence and could be used at a public inquiry.

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Signature

Date

16th Aug 2018

I am 55 years old and I was born and bred in Laceby.

I recall that even before I reached the age of 10 years I was using the path which leads from Butt Lane through an area of scrub land and out onto the open fields of 'Aircrops' from where you could walk on to Isaacs Pond.

A map which I now refer to as item AJD / 1 and which has been signed and dated by me shows the route of this path in a red dotted line.

I understand that the land which the path goes through used to be a gravel pit which had been filled, but this was before my time and I have no recollection of this. There used to be an old fashioned stile at the Butt Lane entrance to the path which was not surfaced at this time.

Later the land became allotments and a gate was put on the entrance and a good portion of the path was surfaced, from Butt Lane and to the allotments. The topsoil however was poor, and because I had a horse I remember being asked to barrow manure to the allotments. I used to access them at this time from the Aircrops end of the path. That would have been around 1983-84.

Although the path was gated at this time, I and other people continued to use the path by climbing over it. The land didn't remain allotments for long and I believe that Laceby Parish Council along with North East Lincolnshire Council were asked to make the land into a football pitch, but this never came to fruition.

About 2 – 3 years ago Laceby Parish Council installed a metal kissing gate which is still in place now. This was installed to make access to the path easier than trying to negotiate the old dilapidated wooden gate which existed prior to this.

Signature

1

Date

16th Aug 2018

**Wildlife and Countryside Act 1981, Section 53 Proposed Definitive Map Modification**  
**Order: North East Lincolnshire County Council DMMO Ref. 12**  
**Witness Statement of Mrs. Julie Anne Dixon of [REDACTED] Laceby. [REDACTED]**  
**[REDACTED] continued**

All the time I have been using this path which is mainly for pleasure and dog walking, I have never been approached and told that I should not be using it. In fact Dave Marshall of the Laceby Parish Council told me several times in the last two years that we can use the path. He also told me that some sort of gate was needed in order to prevent illegal access.

I have never seen any signage along the path prohibiting use, nor have I ever come across any lawful obstructions. I am aware however that on several occasions the kissing gate had been obstructed. On one occasion a dog waste bin had been jammed inside the gate and on other occasions it had been chained and padlocked. I never saw who was responsible for this but I have been told that Mr. Jagger who resides in one of the houses adjacent the path was responsible.

I understand that the occupants of both properties on Butt Lane either side of the path are not happy with the public using it but Mr. Jagger is by far the most vocal, aggressive and active in trying to deter users.

Whilst I have been using the path Mr. Jagger has sworn at me and been verbally abusive toward me. He has also sounded a loud air horn as I have walked passed in an attempt to startle and deter me.

Recently a short section of wooden fencing has appeared at the Aircrops end of the path, although it remained open ended and does not stop people passing through into or out of Aircrops. Laceby Parish Council informed me that they had erected it because they, 'legally had to'.

The erection of this fence prompted me to make enquiries with North East Lincolnshire Council Highways about making this footpath formally a public right of way. I subsequently completed and submitted the relevant application forms. There is no doubt that there is a lot of support amongst the villagers for making this path a public right of way.

I would fully support this path being made a public right of way as it would open up the network. A lot of people use this path for pleasure, dog walking or even walking to the nearby Morrisons supermarket.

[REDACTED] ... Mrs. J.A. Dixon.

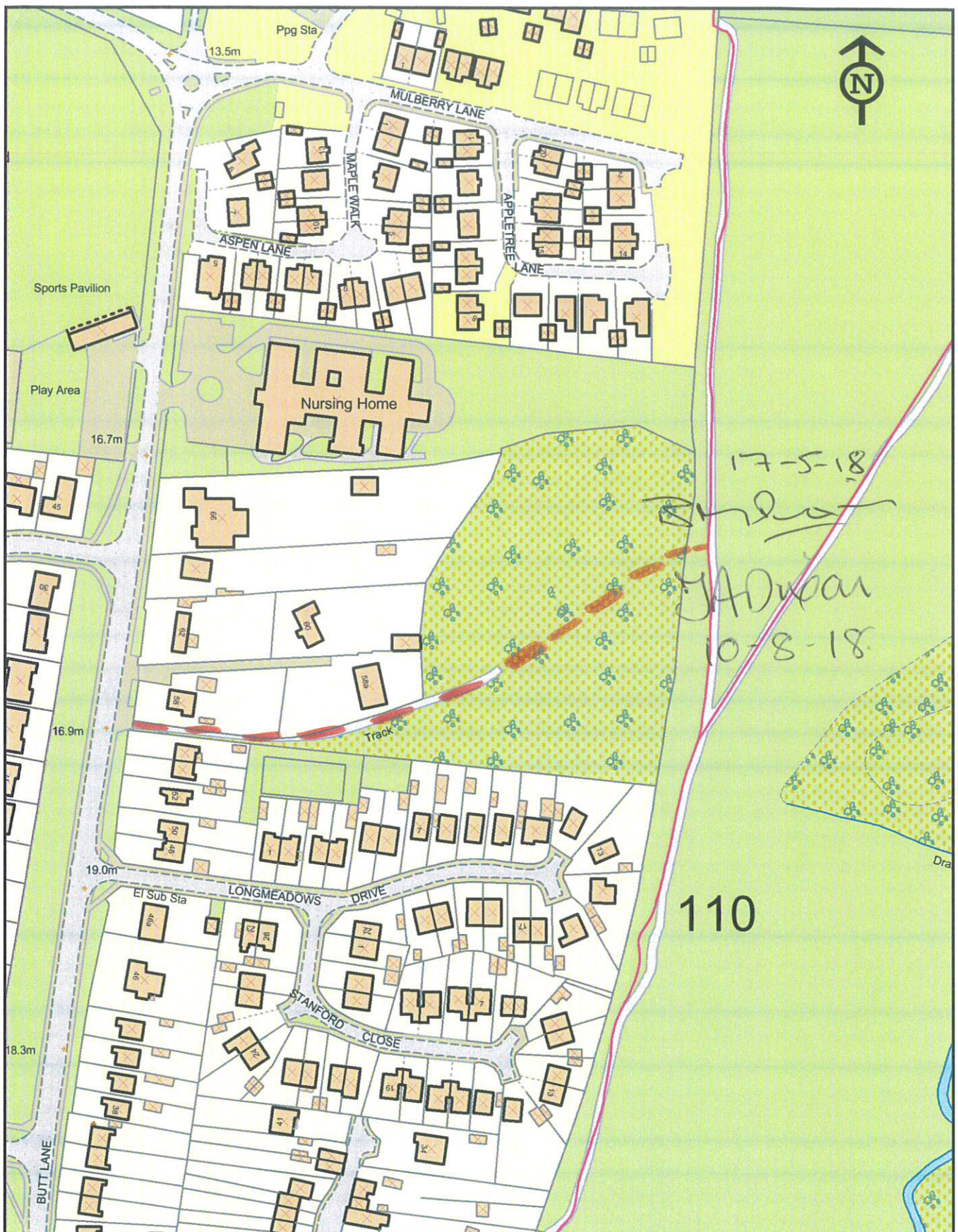
Signature [REDACTED]

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Date.....

16th Aug 2018





## Details

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26/04/2018

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