

OBTAINING A NEW PUBLIC RIGHT OF WAY

Joyce Blanchard



Halfway up the Nab, looking SE



View E from the footpath going up to the Nab



View back along the footpath up to the Nab

Is this an easy matter? Most certainly it is not. East Cheshire Group had a notable victory in 1996 when a path from Bollington to the top of Nab Head (285m) was opened. This provided a new and wonderful viewpoint with a trig point and evidence of an ancient monument.

This was achieved largely due to the efforts of Bill Shercliff who died in 2005. Bill was a keen walker and local historian and a member of The Ramblers East Cheshire Group. He put in a lot of work, time and effort to achieve the opening of the path. He believed that there had in the past been a path used by local people to walk to Nab Head. However, in 1979 the construction of Berristall Rise obstructed use of one access to the path and use of another access had been barred.

Around 1983 Bollington Town Council had applied to have the path dedicated as a Public Right of Way and, although it was approved in 1987 by the Highways sub committee of Cheshire County Council, the Order was never made. When in 1992 the County Council's attention was drawn to the unmade order The County Council decided a new opportunity should be given to supporters and objectors to make comments and produce evidence of use of the path.

To obtain an Order it is necessary to provide evidence that a path has been used over at least 20 years. Evidence has to be from people who regularly walked the path without being challenged or turned back by the landowner/farmer. Evidence can be written or by testimony and at the Public Enquiry by the Planning Inspector, over 70 people gave evidence of use of the path over many years and within living memory.



View from the top of the nab towards White Nancy

Bill set about obtaining the necessary evidence which meant contacting many people. A local resident, Peter Southern, assisted Bill and obtained a lot of the evidence from local people who had walked the paths. At the Public Enquiry, Cheshire County Council presented the case for dedication of the path and the evidence collected was presented. In addition, Bill and others made personal representation at the Enquiry. The whole process took around four years and a lot of persistence by Bill, the Ramblers and Bollington Town Council.