

B. THE HISTORICAL EVIDENCE

20. In Yates map of 1730 (*Appendix 1 Doc. 1*) three properties are shown to exist at the area known as *Mixon* – these properties are *Mixon Grange Farm*, *Mixon Green Farm* and *Hustings Farm*. The access to these three properties can be seen on the map to leave the river valley shortly after going through *Onecote Grange* and run diagonally across and up the hill until the track reaches the properties. Note that there is no track running along the river along the route of what was later to be PF 17.

21. Around the 1790s copper was found at the area known now as *Mixon Mines Farm* – currently owned by [REDACTED] and *Mixon Mines* – currently owned by [REDACTED]. This mine was owned by the *Sneyd* family who built a stone track along the route of what is now PF 17 from *Onecote Grange* to *Mixon Mines*. This was a private track built for the sole purpose of serving the *Mixon Mine*, providing access to and egress from it and providing a road along which materials could be carried to the mine and away from the mine. (*Appendix 1 Doc 2*). *Peak District Mines Historical Society letter dated 21/4/1978*).

22. Once the road to *Mixon Mines* was built the occupants of *Mixon Grange Farm*, *Mixon Green Farm* and *Hustings Farm* began to use the two mile stone track built by the mine, the route of which is now PF 17, for access to their properties; building a short stretch of road to link up from *Mixon Mines* to their respective plots of land. It will have been far more convenient than the original route shown in Yates' map, will have been a far better road and will have been well maintained by the mine for their own purposes and so it made perfect sense for them to do so. In time these properties acquired easements of way by prescription over any land which was not owned by them along the route of what is now PF17. The original route to these three properties as shown on Yates' map of 1730 then fell into disuse and the easements of way along them have now been lost through disuse, though they are now used as public footpaths.

23. At some point the occupants of *Mixon Grange Farm*, *Mixon Green Farm* and *Hustings Farm* began to use the route of what is now PF 42 and PF 18 as a short route to the nearest town – *Leek*. After the requisite period of time these properties then acquired private easements of way over what is now PF 42 and PF 18 over any land which they did not own which PFs 42 and 18 cross.

24. As has been noted above, when the mines fell into disuse around 1840 *Mixon Grange Farm*, *Mixon Green Farm* and *Hustings Farm* continued to use the track to the 'old' mines, now classed as PF 17, as a private road for access to their properties - enjoyed by virtue of the easements of way acquired by prescription. The properties shared the maintenance of this track, which was a private track used solely for access to them. The status quo then was that PF 17 ran along the old mines road which was also used as a public footpath. PF 17 was therefore used as a private road by *Mixon Mines Farm*, *Mixon Grange Farm*, *Mixon Green Farm* and *Hustings Farm* to access their properties. My enquiry from the local authority in 1977 as to the status of the road (PF 17) confirmed its status as a private road.