

Countryside and Rights of Way Panel

Friday 7 August 2020

10:00

Virtual/on-line at <https://staffordshire.public-i.tv/core/portal/home>

NB. Members are requested to join the Teams meeting through their Outlook calendar booking (click on the link “Join Microsoft Teams Meeting”).

Members are also requested to ensure that their Laptops/Tablets are fully charged before the meeting.

John Tradewell
Director of Corporate Services
30 July 2020

A G E N D A

1. **Apologies**
2. **Declarations of Interest in accordance with Standing Order 16.2**
3. **Minutes of meeting held on 17 July 2020** (Pages 1 - 6)
4. **Wildlife and Countryside Act 1981, Section 53 - Application for a Public Right of Way off Cadmans Lane, Essington** (Pages 7 - 72)
Report of Director of Corporate Services
5. **Wildlife and Countryside Act 1981 Section 53 - Application for Public Bridleway from Wedgwood Lane (near Marshfield Farm) to Hill Lane (near Acorn Lodge) Gillow Heath** (Pages 73 - 322)
Report of Director of Corporate Services



6. **Wildlife and Countryside Act 1981, Section 53 - Application for a Public Footpath between Chestnut Lane and Coneyberry Stile, Clifton Campville** (Pages 323 - 410)

Report of Director of Corporate Services

7. **Exclusion of the Public**

The Chairman to move:-

“That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1971 (as amended) indicated below”.

PART TWO

(All reports in this section are exempt)

8. **Exempt minutes of meeting held on 17 July 2020** (Pages 411 - 412)

(exemption paragraphs 2, 6a and 6b)

9. **Wildlife and Countryside Act 1981, Section 53 Modification Order Applications - Update**

(exemption paragraphs 2, 6a and 6b)

Exempt oral report of Director of Corporate Services

10. **Local Government Ombudsman**

(exemption paragraphs 2, 6a and 6b)

Exempt oral report of Director of Corporate Services

Membership

David Brookes
Alan Dudson
Ian Lawson
Kyle Robinson

David Smith
Paul Snape
Mark Winnington (Chairman)

Minutes of the Countryside and Rights of Way Panel Meeting held on 17 July 2020

Present: Julia Jessel (Chairman)

Attendance	
Alan Dudson	Mike Worthington
Paul Snape	

PART ONE

142. Declarations of Interest in accordance with Standing Order 16.2

There were no declarations of interest made.

143. Minutes of meeting held on 3 July 2020

RESOLVED – That subject to the list of attendances being amended to indicate that Mr. M. Worthington was present, the minutes of the meeting held on 3 July 2020 be confirmed and signed by the Chairman.

144. Proposed Diversion of Public Footpath, Stafford No. 65 (Part) off Ash Flats Lane, Stafford

The Panel considered a report of the Deputy Chief Executive and Director for Families and Communities regarding an application by Kier on behalf of Highways England to divert Public Footpath No. 65 (Part) Stafford Town, off Ash Flats Lane, Stafford under Section 119 of the Highways Act 1980.

The application had been processed by Robin Carr Associates on behalf of the Council as Highway Authority.

Public Footpath No. 65 ran in a north easterly direction up the embankment of Ash Flats Lane via a flight of steps, adjacent to a road bridge which passed over the M6 Motorway. The effect of the Order (if made and confirmed) was to divert the section of path adjacent to the road bridge along Ash Flats Lane to the north.

Members noted that the proposals had been subject to informal consultation and advertisement on site and that an objection had been received from an adjoining landowner owing to the adverse effect on their privacy. However, efforts to make further contact with the Objector regarding potential measures to mitigate the loss of their privacy had been unsuccessful.

The cost of the making the Order was to be met by the applicant.

RESOLVED – (a) That the report be received and noted.

(b) That an Order be made under Section 119 of the Highways Act 1980 to divert Public Footpath No. 65 (Part) off Ash Flats Lane, Stafford as shown on the plan attached to the report.

(c) That if no objections are made to the making of the Order or if objections are made and subsequently withdrawn, the Order be confirmed as an Unopposed Order.

(d) That if objections are made to the making of the Order and not subsequently withdrawn, the Order to be referred to the Secretary of State for Environment Fisheries and Food for determination.

145. Wildlife and Countryside Act 1981, Section 53 - Application for Byway Open to All Traffic between the A51 at Blackbrook and Public Footpath No. 4, Maer Parish

The Panel considered a report by the Director of Corporate Services regarding an application by Mr. M. Reay for a Modification Order under Section 53 of the Wildlife and Countryside Act 1981 to add a Byway open to All Traffic (BOAT) between the A51 at Blackbrook and Public Footpath No. 4 Maer Parish, Newcastle-under-Lyme to the County Council's Definitive Map and Statement of Public Rights of Way.

The Chairman referred to recent email correspondence received from the applicant requesting that the application be amended to include an additional route. However, following legal advice from the Director of Corporate Services stating that such an amendment at this time would be contrary to case law, the request had been declined.

The report was then presented verbally to take Members through the Various legal, documentary and historical evidence relevant to the application. In applying these tests, Members were made aware that they should examine the evidence in its totality.

During their consideration of the application, Members had regard to the appendices attached to the report including:- (i) a location plan of the claimed route; (ii) a copy of the application; (iii) a copy of Inclosure Award map of Maer; (iv) a copy of Inclosure Award Schedule; (v) a copy of Greenwood's Map; (vi) a copy of Teesdale's Map; (vii) a copy of Ordnance Survey Map 2 Inch to 1 Mile and (viii) a transcript from Inclosure Award of Commissioners Powers.

Following their detailed consideration of the application, the Panel decided that the available evidence was insufficient to show a BOAT subsists or is reasonably alleged to subsist along the claimed route.

RESOLVED – (a) That the report be received and noted.

(b) That the evidence submitted by the applicant and that discovered by the County Council is insufficient to show that a Byway open to All Traffic subsists or is reasonably alleged to subsist.

(c) That no Order be made to add the alleged Public Right of Way to the County Council's Definitive Map and Statement of Public Rights of Way for the District of Borough of Newcastle-under-Lyme.

146. Wildlife and Countryside Act 1981, Section 53 - Application for Public Footpath from Church Lane Public Footpath No. 6 to Public Footpath No. 3, Gayton Parish

The Panel considered a report by the Director of Corporate Services regarding an application by Mr. M. Reay for a Modification Order under Section 53 of the Wildlife and Countryside Act 1981 to add a Public Footpath from Church Lane Public Footpath No. 6 to Public Footpath No. 3 Gayton Parish, Stafford Borough to the County Council's Definitive Map and Statement of Public Rights of Way.

The report was presented verbally to take Members through the Various legal, documentary and historical evidence relevant to the application. In applying these tests, Members were made aware that they should examine the evidence in its totality.

During their consideration of the application, Members had regard to the appendices attached to the report including:- (i) a copy of the application and associated submitted letters and documents; (ii) a location plan of the claimed route; (iii) a copy of Deposited Railway Plan 1845; (iv) a copy of Gayton Tithe Map; (v) copies of Ordnance Survey Maps; (vi) a copy of a map showing the extent of Highways maintained at the Public's Expense; (vii) A copy of a Landowner Evidence Form submitted by Mr. G.J. Bailey and (viii) copies of responses from Statutory Consultees.

Following their detailed consideration of the application, the Panel decided that the available evidence was insufficient on the balance of probabilities to show a Public Footpath subsisted along the claimed route. However, the evidence was sufficient to show, on the balance of probabilities, a Restricted Byway subsisted along that route,

RESOLVED – (a) That the report be received and noted.

(b) That the evidence submitted by the applicants and that discovered by the County Council is not sufficient to show that, on the balance of probabilities, a Public Footpath which is not shown on the County Council's Definitive Map and Statement to subsist along the route shown A-B-C-D on the Plan attached at Appendix B to the report and should not be added to the Definitive Map and Statement of Public Rights of Way.

(c) That the evidence submitted by the applicants and that discovered by the County Council is sufficient to show that, on the balance of probabilities, a Restricted Byway from Church Lane Public Footpath No. 6 to Public Footpath No. 3, Gayton Parish subsists.

(d) That an Order under Section 53(3)(c)(i) be made to add the alleged Right of Way shown on the Plan attached at Appendix B to the report to the County Council's Definitive Map and Statement of Public Rights of Way for the Borough of Stafford.

147. Wildlife and Countryside Act 1981, Section 53 - Application for Public Bridleway from Blithbury Road to Public Bridleway No. 28 Abbots Bromley Parish

The Panel considered a report by the Director of Corporate Services regarding an application by Mr. M. Reay for a Modification Order under Section 53 of the Wildlife and Countryside Act 1981 to add a Public Bridleway from Blithbury Road to Public Bridleway No. 28, Abbots Bromley Parish, East Staffordshire Borough to the County Council's Definitive Map and Statement of Public Rights of Way.

The report was presented verbally to take Members through the Various legal, documentary and historical evidence relevant to the application. In applying these tests, Members were made aware that they should examine the evidence in its totality.

During their consideration of the application, Members had regard to the appendices attached to the report including:- (i) a copy of the Application and associated submitted letters and documents; (ii) a plan of the claimed route A-B-C-D; (iii) a copy of Deposited railway Plan – Q/Rum/172 (1845); (iv) a copy of Deposited railway Plan – Q/Rum/159 (1845); (v) a copy of Inclosure Award – Q/RDC58 pt2 Map 11 (1806); (vi) a copy of Hamstall Ridware Tithe Map; (vii) copies of three Ordnance Survey Maps; (viii) a copy of Greenwoods Map (1820); (ix) a copy of Teesdale's Map (1832); (x) a copy of an Owner/occupier Evidence Form Submitted by Mr. L.A. Wood; (xi) a copy of an Owner/occupier Evidence Form Submitted by Mr. C.J. Hall; (xii) a copy of an Owner/occupier Evidence Form Submitted by Mr. D.W. Mycock and (xiii) copies of correspondences from Statutory Consultees.

Following their detailed consideration of the application, the Panel decided that the available evidence was sufficient, on the balance of probabilities, to show a Public Bridleway rights subsisted along the claimed route.

RESOLVED – (a) That the report be received and noted.

(b) That the evidence submitted by the Applicant and that discovered by the County Council is sufficient to show that the alleged Public Bridleway at Blithbury Road to Public Bridleway No. 28, Abbots Bromley Parish subsists.

(c) That the evidence submitted by the Applicant and that discovered by the County Council is sufficient to show that, on a balance of probabilities, Public Footpath No. 0.376(a) Abbots Bromley Parish (shown A-B on the attached plan) and Public Footpath No. 0.421 Abbots Bromley Parish (shown C-D on the attached plan) should be shown as highways of different descriptions, namely Public Bridleways on the County Council's Definitive Map and Statement of Public Rights of Way.

(d) That the evidence submitted by the Applicant and that discovered by the County Council is sufficient to show that, on a balance of probabilities, a Public Bridleway (shown B-C on the attached plan) which is not currently shown on County Council's Definitive Map and Statement of Public Rights of Way exists.

(e) That an Order be made under Section 53(3)(c)(ii) of the Wildlife and Countryside Act 1981 to modify the County Council's Definitive Map and Statement of Public Rights of Way for the Borough of East Staffordshire by upgrading Public Footpath No. 0.376(a)

Abbots Bromley Parish (shown A-B on the plan) and Public Footpath No. 0.421 (shown C-D on the plan) to Public Bridleway status and to add part B-C shown on the plan as a Public Bridleway.

148. Wildlife and Countryside Act 1981, Section 53 - Application for Public Bridleway from Blorepipe Farm to Bridleway No. 49 at Bishops Wood, Eccleshall Parish

The Panel considered a report by the Director of Corporate Services regarding an application by Mr. M. Reay for a Modification Order under Section 53 of the Wildlife and Countryside Act 1981 to add a Public Bridleway from Blorepipe Farm to Public Bridleway No. 49 Eccleshall Parish at Bishops wood to the County Council's Definitive Map and Statement of Public Rights of Way.

The report was presented verbally to take Members through the Various legal, documentary and historical evidence relevant to the application. In applying these tests, Members were made aware that they should examine the evidence in its totality.

During their consideration of the application, Members had regard to the appendices attached to the report including:- (i) a copy of a location plan of the alleged route; (ii) a copy of the Application and associated submitted letters and documents; (iii) a copy of Deposited Railway Plan; (iv) a copy of Deposited Railway Plan Record Book; (v) a copy of Ordnance Survey Map 1 Inch to a Mile; (vi) a copy of 1902 Ordnance Survey Map; (vii) a copy of Walker's Map; (viii) a copy of Wright and Cherrington's Map and; (ix) a copy of a Landowner's questionnaire submitted by M. A. Jones.

Following their detailed consideration of the application, the Panel decided that the available evidence was sufficient to show a Public Bridleway was reasonably subsisted to subsist along the claimed route.

RESOLVED – (a) That the report be received and noted.

(b) That the evidence submitted by the Applicant and that discovered by the County Council is sufficient to conclude that a Public Bridleway, which is not currently shown on the County Council's Definitive Map and Statement, is reasonably alleged to subsist along the route shown marked A to B on the plan attached at Appendix A to the report, and should be added to the Definitive Map and Statement of Public Rights of Way as such.

(c) That an Order be made to add the Public Right of Way shown on the plan attached at Appendix A to the report and marked A to B to the County Council's Definitive Map and Statement of Public Rights of Way for the Borough of Stafford.

149. Date of Next Meeting - Friday 7 August 2020 at 10.00 am, Virtual/on-line

RESOLVED – That the date, time and venue of the next meeting be noted.

150. Exclusion of the Public

RESOLVED – That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) indicated below”.

PART TWO

151. Wildlife and Countryside Act 1981, Section 53 Modification Order Applications - Update

(exemption paragraphs 2, 6a and 6b)

The Panel received an exempt oral report of the Director of Corporate Services updating them on the efforts being made by the County Council to resolve the backlog of applications for Modification Orders under Section 53 of the Wildlife and Countryside Act 1981.

Chairman

BEFORE THE COUNTRYSIDE AND RIGHTS OF WAY PANEL

Wildlife and Countryside Act 1981

Application for a Public Right of Way off Cadmans Lane, Essington, Walsall

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APPENDIX K	-	ANNOTATED MAP FROM THE FIRST SPECIAL AND GENERAL REVIEW OF THE DEFINITIVE MAP

REPORT

1. Report p 1 - p 9

A. COPY OF APPLICATION

1. Form 1 23-07-1999 A 1 - A 2
2. Map accompanying Form 1 A 3
3. Statement accompanying Form 1 A 4 - A 5

B. PLAN OF CLAIMED ROUTE

1. Plan of Claimed Route B 1

C. FINANCE ACT FIELD BOOK ENTRY

1. Copy of Finance Act Field Book Entry C 1 - C 3

D. FINANCE ACT PLAN

1. Copy of Finance Act Plan D 1

E. TRACING OF DEPOSITED RAILWAY PLAN

1. Tracing of Deposited Railway Plan E 1

F. CORRESPONDENCE FROM THIRD PARTIES

1. Correspondence from Fisher German 10-01-2020 F 1 - F 2
2. Email from Edmund Blakemore 16-07-2020 F 3
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G. DEPOSITED RAILWAY PLAN

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H. EXTRACT FROM RAILWAY BOOK OF REFERENCE

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I. ANNOTATED DEPOSITED RAILWAY PLAN

1. Annotated Deposited Railway Plan I 1

J. PARISH SURVEY PLAN

1. Parish Survey Map J 1
2. Parish Survey Map Extract Brownhills J 2

K. ANNOTATED MAP FROM THE FIRST SPECIAL AND GENERAL REVIEW OF THE DEFINITIVE MAP

1. First Special and General Review of the Definitive Map and Statement in 1969 K 1

REPORT

Local Members' Interest	
Kath Perry Bernard Williams	Essington and Great Wyrley

Countryside and Rights of Way Panel -

Wildlife and Countryside Act 1981

Application for a Public Right of Way off Cadmans Lane, Essington, Walsall

Report of the Director of Strategy, Change and Governance

Recommendation

1. That the evidence submitted by the applicant and that discovered by the County Council is enough to conclude that a public footpath, which is not currently shown on the Definitive Map and Statement, is reasonably alleged to subsist.
2. That an order be made to add a public footpath, shown marked A to B on the plan attached at Appendix B, to the Definitive Map and Statement of Public Rights of Way for the District of Cannock.

PART A

Why is it coming here – what decision is required?

1. Staffordshire County Council is the authority responsible for maintaining the Definitive Map and Statement of Public Rights of Way for Staffordshire.
2. Determination of applications are made under section 53 of the Wildlife and Countryside Act 1981. Orders are made under the Act to modify the Definitive Map and Statement of Public Rights of Way.
3. These orders fall within the terms of reference of the Countryside and Rights of Way Panel of the County Council's Regulatory Committee ("the Panel").
4. The Panel is acting in a quasi-judicial capacity when determining these matters and must only consider the facts, the evidence, the law and the relevant legal tests. All other issues and concerns must be disregarded.
5. The Panel are asked to consider an application made by Mr Martin Reay, for an order to modify the Definitive Map and Statement by adding a public footpath off Cadman's Lane for a continuation of an existing cul-de-sac path under the provisions of Section 53(3) of the Wildlife and Countryside Act 1981. A copy of Mr Reay's application is attached at Appendix A. The line of the application route is shown on the plan attached at Appendix B and marked A – B.
6. Legal officers have reviewed the application, the evidence available and have applied the relevant legal tests. A decision now needs to be made as to whether the route can be added to the Definitive Map and Statement.

Background

1. This report primarily focusses on historical evidence only.

Evidence submitted by the applicant

1. Mr Reay has relied upon three pieces of evidence to support of his application:
2. A field book entry prepared in relation to the 1910 Finance Act, which is attached at Appendix C. The applicant avers that this shows that '*Hereditament 9176 has an entry for a public path crossing it. Only one path on enclosed Finance Act plan*'. The field book entry does refer to reference no. 9176. It refers to two fields of pastureland with a public footpath across and a deduction of £20.00 has been made for Public Rights of Way or User. In support of the field book entry, the applicant also submitted a plan which is attached at Appendix D. The plan is very dark and not very clear although it does show that plot 9176 is crossed by a route.
3. A tracing of the Deposited Railway Plan (Q/Rum 209) (1845) which is attached at Appendix E. This relates to the Branches of the South Staffordshire Junction Railway. The applicant avers that this shows an occupation road and a public path through plot number 81. He also states that '*this is not the same line as the path shown on the 1910 Finance Act Plan. The path seems to have altered slightly between 1845 and 1910*'.
4. Parish Survey for Cannock Town dated 24/04/1952; the applicant avers that '*this shows footpath 26 from Wyrley Lane to Cadmans Lane along the claimed route. It states that the grounds for believing the path to be public are that it is shown on the rights of way map of 1932*'.
5. Officers have inspected all the documents submitted and have verified their veracity.

Other evidence discovered by the County Council

6. Officers have reviewed the Deposited Railway Plan and Book of Reference from Staffordshire Records Office.
7. Officers have researched the parish survey and the parish survey plans.
8. Officers have researched and reviewed boundary changes.

Evidence submitted by the Landowners

9. In a Form 3, the applicant advised that he had served a copy of his application on Mr Yates and Ms Sadler of Hobble Farm. Ms Sadler has since confirmed that the alleged path does not cross her land.
10. As it was unclear who owned the land, legal officers wrote to 'the owner/ occupier' of Home Farm at Wyrley Lane where it is understood the alleged route runs through. Legal officers advised the owner/ occupier that an application for a footpath had been submitted and a copy of the application was also provided.
11. On the 10th January 2020, legal officers received correspondence from Fisher German, property consultants, confirming that they act for Little Wyrley Estate, the owner of the land affected by the application. In the correspondence, they stated that the alleged footpath was removed from the Essington Parish approximately 30 years ago. I attach the correspondence at Appendix F. Officers can confirm that the claimed route has never been in existence on any of Staffordshire's Definitive Maps.

Comments received from statutory consultees

12. Essington Parish Council confirmed that they have no objections to the application.
13. Cannock Chase Council advised that the land falls outside the council's area and therefore did not wish to comment.

Comments on Evidence

The Finance Act 1910

14. The 1910 Finance Act provided for the levying of tax on concerned mapping lands throughout the United Kingdom between 1910 and 1920.
15. Landowners would fill in a form asking whether their land was subject to any public rights of way or any public rights of user. If these rights did cross their land, then they could claim tax relief. The information from these forms were then copied into field books and the tax deductions would be shown. The deduction entry, whilst not describing the actual route of a right of way, provides evidence of its existence across a land holding.
16. Plans were produced to accompany the Finance Act and were based upon large-scale Ordnance Survey (OS) Maps. They were annotated and the land was divided into plot numbers. These plot numbers correspond with the entries in the field books.
17. Where the OS Surveyors recorded that a track or path physically existed across an individual OS plot, this when viewed in conjunction with the entry, provides strong evidence of the existence of a way. This supports Mr Reay's application as plot 9176 is crossed by a route. As there are no other paths marked on the 9176 plot, it is reasonable to allege that the route shown on this plot is the same path that the applicant is claiming.
18. Claims for deductions were investigated, by the valuers of the land, to ensure that they were valid. Legislation set out that it was an offence to make a false claim and was punishable by a fine and up to 6 months imprisonment. Due to the risk of punishment, it is unlikely that a landowner would have made a false claim.
19. The absence of a landowner making a claim for a right of way does not provide evidence of its non-existence as the owner may have decided not to make a claim.
20. In overview a tax claim was originally made for the claimed route, and allowed by the valuer hence the deduction being recorded which supports the contention that the route is public.
21. However, as outlined in the case of *Fortune v Wilshire CC* in 2012, the Finance Act material is '*simply one part of the jigsaw puzzle*' and does not provide enough evidence for a modification of the Definitive Map and Statement when assessed in isolation. It must be considered alongside other supporting evidence.

Deposited Railway Plan

22. Where there was a proposed railway or canal in the 18th and 19th century, the intended route would be surveyed in order to assess the suitability of the land for construction of a railway or canal. Plans and books of reference were then produced

which ultimately recorded highways and showed who owned and/ or occupied the land where the proposed railway or canal was to cross the land.

23. From 1838, statute required plans of these works and the accompanying book of reference to be deposited with local public authorities. This included both the routes that never came to into existence as well as those that were constructed.
24. The plans only recorded details of the land that was being crossed by the intended construction. Therefore, the entity of a whole right of way may not be shown if only a short length of the way was to be affected by the construction.
25. The Deposited Railway Plan of 1845, that the applicant submitted, refers to plot numbers and then the book of reference refers to the owners of each of these plots. Appendix G is a clearer copy of the Deposited Railway Plan of 1845. As above, the applicant alleges that plot 81, shown on the plan, is the claimed route.
26. Looking at plot 81 in the book of reference, the land is described as being owned by Sarah Knight and occupied by Thomas Lindop. The description of the plot is 'field, occupation road and public footpath'. An extract of the field book entry is attached at Appendix H. This provides historical evidence that a public right of way existed in plot 81.
27. The introduction of The Railways Clauses Consolidation Act 1845 meant that the requirements for railways were expanded. Public rights of way which crossed the route of a railway were to be retained unless their closure had been duly authorised. Although it was not the primary purpose of the deposited plans, they can show whether a route was public or not.
28. Despite the railway plan being published in 1845, it does not necessarily mean that it was drawn up at the same time as the Railways Clauses Consolidation Act. The plan would have taken time to draw up and it is therefore unlikely that the Act would have been taken into consideration at this point.
29. The applicant believes that the claimed route has changed post the deposited railway plan being published. However, officers believe that it is the same path. Appendix I is an annotated version of the deposited railway plan showing the footpath in pink and marked A and the brook course in blue and marked B. When looking at this Appendix alongside the claimed way as shown on Appendix B, the brook course follows the same route on both plans, which leads officers to reasonably conclude that the public footpath mentioned and depicted in 1845 is the route being claimed.
30. As with the Finance Act, the Deposited Highways Plan should be looked at and evaluated along with other historical evidence. However, the plan is good evidence to support the existence of a public right of way.

Parish Survey for Cannock Town (Norton Canes)

31. The third piece of evidence that the applicant submitted is the parish survey carried out under The National Parks and Access to the Countryside Act 1949.
32. Parish surveys produced correspondence and entries in the minutes of parish meetings, in addition to the parish survey cards and maps.
33. Parish records are of great importance, particularly those relating to the parish survey, from which the Definitive Map followed. They usually include a statement which accompanied a draft map, a survey card and the relevant contemporary parish council minutes.

34. The survey card describes path number 26 as a footpath starting at Wyrley Lane (by home farm) and finishing at Cadmans Lane. The grounds for believing that the path is public is 'Rights of Way Map 1932'. The description of the route is *'this path is very difficult to follow and is obviously never used nowadays. The path starts at fieldgate in School Lane, Little Wyrley, (by Home Farm) goes across a field to a broken stile, follows a hedge to a field gate and stile, then diagonally across the meadow to another field gate then crosses a narrow stream, and joins Cadman's Lane. There are no notice boards.'*
35. The parish survey map shows a route which matches the claimed route. The map and an extract of the map is attached at Appendix J. The route is shown as going beyond Cadmans Lane to Hobble End.
36. Staffordshire County Council would have then added the portion of the route that was within the County and the Norton Canes Parish to a draft Definitive Map.
37. The remainder of the route was outside the administrative county boundary and was within, what was then, Walsall. For whatever reason, the continuous route inferred to in the parish survey was not included in any Definitive Map made by Walsall.
38. Subsequent boundary changes meant that the area which now comprises Essington parish became part of Staffordshire County but as this claimed route was never recorded it has never appeared on any Definitive Map.

First Special and General Review of the Definitive Map and Statement in 1969

39. Before the first General Review could be undertaken in Staffordshire, the Countryside Act 1968 was passed and required a Special Review to be undertaken, to reclassify all RUPPs to footpaths, bridleways, or a new legal category under that Act Byways Open to All Traffic (BOAT).
40. The County Council prepared its First Special and General Review of the Definitive Map and Statement in 1969. This had a Relevant Date of 30 September 1969 and was duly advertised and placed on public deposit between August and December 1971. The advertisements were placed in the London Gazette and newspapers circulating in the area. Copies placed on deposit at Council offices including those of the districts.
41. Several hundred objections and representations were lodged throughout the County in respect of the reclassifications and other proposals in the Review. The Secretary of State was responsible for determining these objections and a series of public inquiries was held during the 1970's and early 1980's.
42. During this period, in February 1983, sections 53 and 54 of the Wildlife and Countryside Act 1981 came into force. The commencement of the two sections also provided that where a review of the definitive map and statement was under way those sections did not apply until the review was completed or abandoned.
43. As the public inquiries into the objections were well advanced the Secretary of State directed Staffordshire County Council in February 1983 to complete its review.
44. On determination of these objections, the Secretary of State directed the County Council to complete its First Revised Definitive Map and Statement of Public Rights of Way which became definitive in 1988.

45. The area of land on which the path is situated was in the County Borough of Walsall until 1966 when the boundary was altered. This can be evidenced from maps drawn up as part of the First Special and General Review of the Definitive Map and Statement in 1969. I attach Appendix K which shows the old boundary and the new boundary. The two nearby routes Essington 1R/2270 and 1R/2271 shown on the extract were added to the Definitive Map as part of this review.
46. Legal officers have no evidence in any of the Definitive Map Statements from where the routes of these two paths came from although it is possible that a map was provided by Walsall County Borough at the time but we have no record of this.

Burden and Standard of Proof

47. In this instance the applicable section of the Wildlife and Countryside Act 1981 is section 53(3)(c)(i). This section relates to the discovery of evidence in two separate events:
 - (a) Evidence that a right of way, which is not shown on the map, subsists; or
 - (b) Evidence that a right of way, which is not shown on the map, is reasonably alleged to subsist.
48. One of events must be satisfied before a modification order can be made. To establish a test, the evidence must be evaluated and weighed up before a conclusion can be reached.
49. For the first test to be satisfied; that a right of way which is not shown on the map subsists, it will be necessary to show that on a balance of probabilities the right of way does subsist.
50. For the second test to be satisfied; that a right of way which is not shown on the map is reasonably alleged to subsist, the question is whether a reasonable person could reasonably allege a right of way exists having considered all the relevant evidence available to the Council. The evidence necessary to establish a right of way which is “reasonably alleged to subsist” over land must be less than that which is necessary to establish the right of way “does subsist”.
51. If a conclusion is reached that either test is satisfied, then the Definitive Map and Statement should be modified.

Summary

52. The Finance Act evidence suggests that at one time the claimed route was regarded as a public footpath.
53. The Deposited Railway Map suggests that at one time the claimed route was regarded as a public footpath.
54. The Parish Survey card shows that the route claimed was regarded but not recorded as a public right of way.

Conclusion

55. As discussed above, it is apparent that the claimed route was not added to the definitive map, like the existing cul-de-sac known as Norton Canes 18 was.

Officers determine that this is as a result to the boundary change in 1966 putting the two routes into separate districts.

56. Considering all the evidence above; The Finance Act 1910, The Deposited Railway Map and The Parish Survey, Officers aver that the claimed route is a public right of way, with the status of a footpath which is not shown on the map and statement which is reasonably alleged to subsist.
57. Parts of the historical evidence on its own is not enough to conclude that the path existed, however when all of the historical evidence is looked at and evaluated together, they support one another and strengthen the evidence overall.

Recommended Option

58. To accept the application based upon the reasons contained in the report and outlined above.

Legal Implications

59. The legal implications are contained within the report.

Resource and Financial Implications

60. The costs of determining applications are met from existing provisions.
61. There are, however, additional resource and financial implications if decisions of the Registration Authority are challenged by way of appeal to the Secretary of State for Environment, Food and Rural Affairs or a further appeal to the High Court for Judicial Review.

Risk Implications

62. Should the Council decide to make an order, any person may object and if such objections are not withdrawn the matter is referred to the Secretary of State for Environment, Food and Rural Affairs under Section 14 of the Wildlife and Countryside Act 1981. The Secretary of State would appoint an Inspector to consider the matter afresh, including any representations or previously unconsidered evidence.
63. The Secretary of State may uphold the Council's decision and confirm the Order; however there is always a risk that an Inspector may decide that the County Council should not have made the Order and decide not to confirm it.
64. If the Secretary of State upholds the Council's decision and confirms the Order, it may still be challenged by way of Judicial Review in the High Court.
65. Should the Council decide not to make an Order, the applicant may appeal the decision to the Secretary of State who will follow a similar process to that outlined above. After consideration by an Inspector the County Council could be directed to make an Order.
66. If the Panel makes its decision based upon the facts, the applicable law and applies the relevant legal tests the risk of a challenge to any decision being successful, or being made, are lessened.
67. There are no additional risk implications.

Equal Opportunity Implications

68. There are no direct equality implications arising from this report.

J Tradewell

Director of Strategy, Change and Governance

Report Author: Ally Brereton

Ext. No: 895661

Background File: LJ621G

INDEX TO APPENDICES

Appendix A	Copy of application
Appendix B	Plan of claimed route
Appendix C	Finance Act Field Book entry
Appendix D	Finance Act Plan
Appendix E	Tracing of Deposited Railway Plan
Appendix F	Correspondence from Fisher German
Appendix G	Deposited Railway Plan
Appendix H	Extract from Railway Book of Reference
Appendix I	Annotated Deposited Railway Plan
Appendix J	Parish Survey Plans
Appendix K	Annotated Map from the First Special and General Review of the Definitive Map

A. COPY OF APPLICATION

FORM OF APPLICATION FOR MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

Definitive Map and Statement - Staffordshire County Council

District of SOUTH STAFFS.

Parish of ESSINGTON

To: Staffordshire County Council
PO Box 11
County Buildings
Stafford
ST16 2LH

I/We M. REAY
of 53 TITHE BARN RD
..... STAFFORD

hereby apply for an order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the definitive map and statement for the area by

~~* deleting the (footpath)(bridleway)(byway open to all traffic)
from to~~

* ~~adding the (footpath)(bridleway)(byway open to all traffic)
from ... CADMANS LANE ... to ... CUL DE SAC PATH AT DISTRICT ...~~

~~* (upgrading)(downgrading) to a (footpath)(bridleway)(byway open to all traffic) the (footpath)(bridleway)(byway open to all traffic)
from to~~

~~* (varying)(adding to) the particulars relating to the (footpath)(bridleway)
(byway open to all traffic) from to~~

~~by providing that~~

and shown on the map accompanying this application.

I/We attach copies of the following documentary evidence (including statements of witnesses) in support of this application

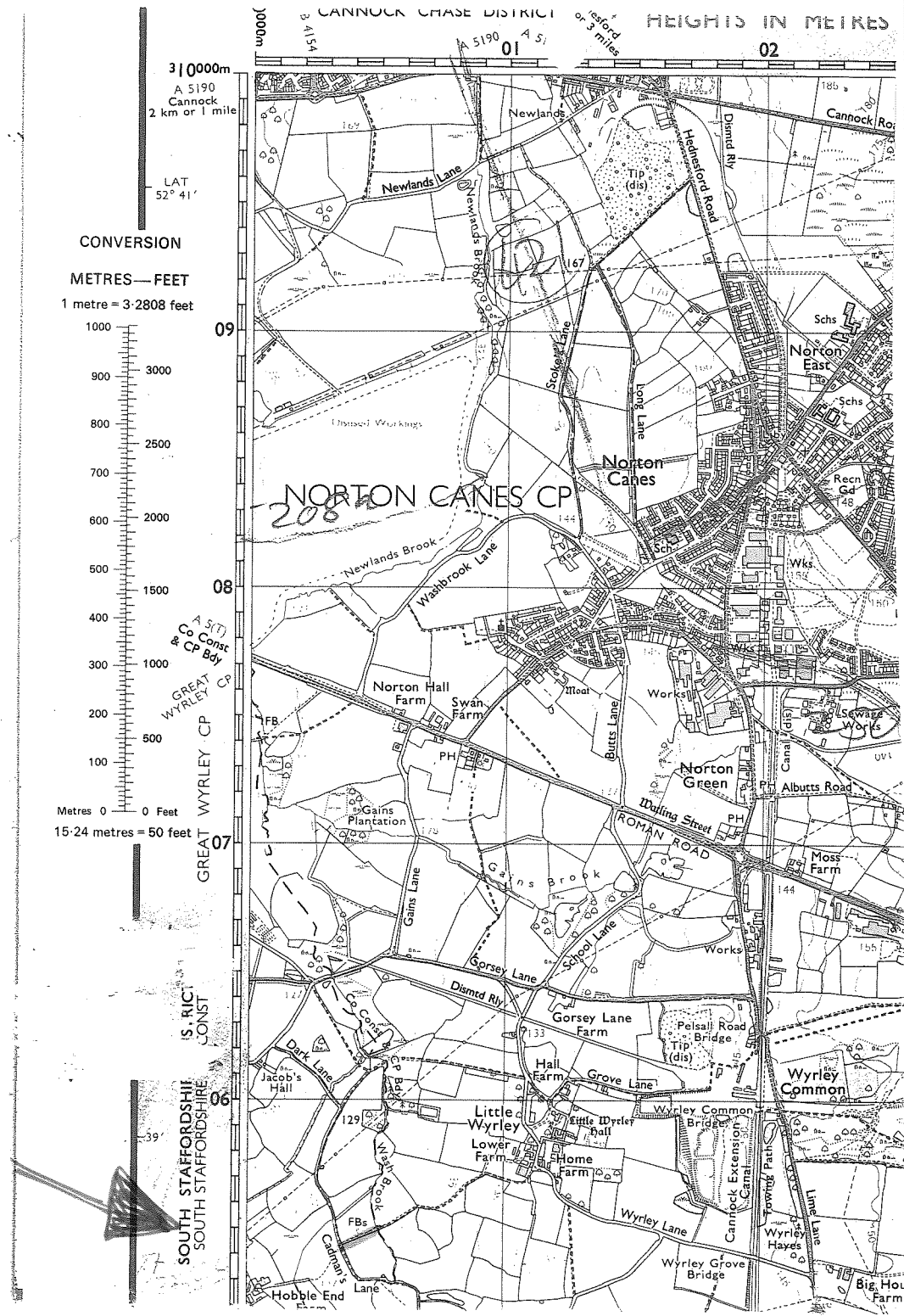
*delete as appropriate.

1910 FINANCE ACT SHOWS ROUTE AS A
PUBLIC PATH.

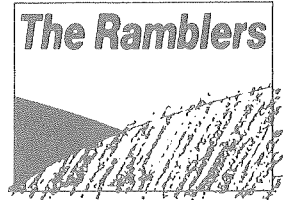
DEPOSITED PLAN Q/Rum 209 (1845) SHOWS PART OF
ROUTE AS PUBLIC PATH.

PARISH SURVEY FOR CANNOCK TOWN (NORTON CANES)
SHOWS ROUTE AS FOOTPATH 26, PUBLIC.

23/7/99. M. Reay



The Ramblers' Association
Working for walkers



FOR A CONTINUATION OF AN
EXISTING CUL DE SAC PATH.

THIS WILL FORM A TERMINATION ON
A PUBLIC WAY, Staffordshire Area

1910 FINANCE ACT (AT PUBLIC RECORD OFFICE, KEN)

HEREDITAMENT 9176 HAS AN ENTRY FOR A
PUBLIC PATH CROSSING IT. ONLY ONE PATH
ON ENCLOSED FINANCE ACT PLAN.

DEPOSITED PLAN. (Q/Ram 209) (1845)

THE ENCLOSED TRACING OF THIS SHOWS
AN OCCUPATION RD + PUBLIC PATH THROUGH NUMBER
81. HOWEVER THIS IS NOT ON THE SAME
LINE AS THE PATH SHOWN ON THE 1910
FINANCE ACT PLAN. THE PATH SEEMS TO HAVE
ALTERED SLIGHTLY ~~AREA~~ BETWEEN 1845 + 1910.

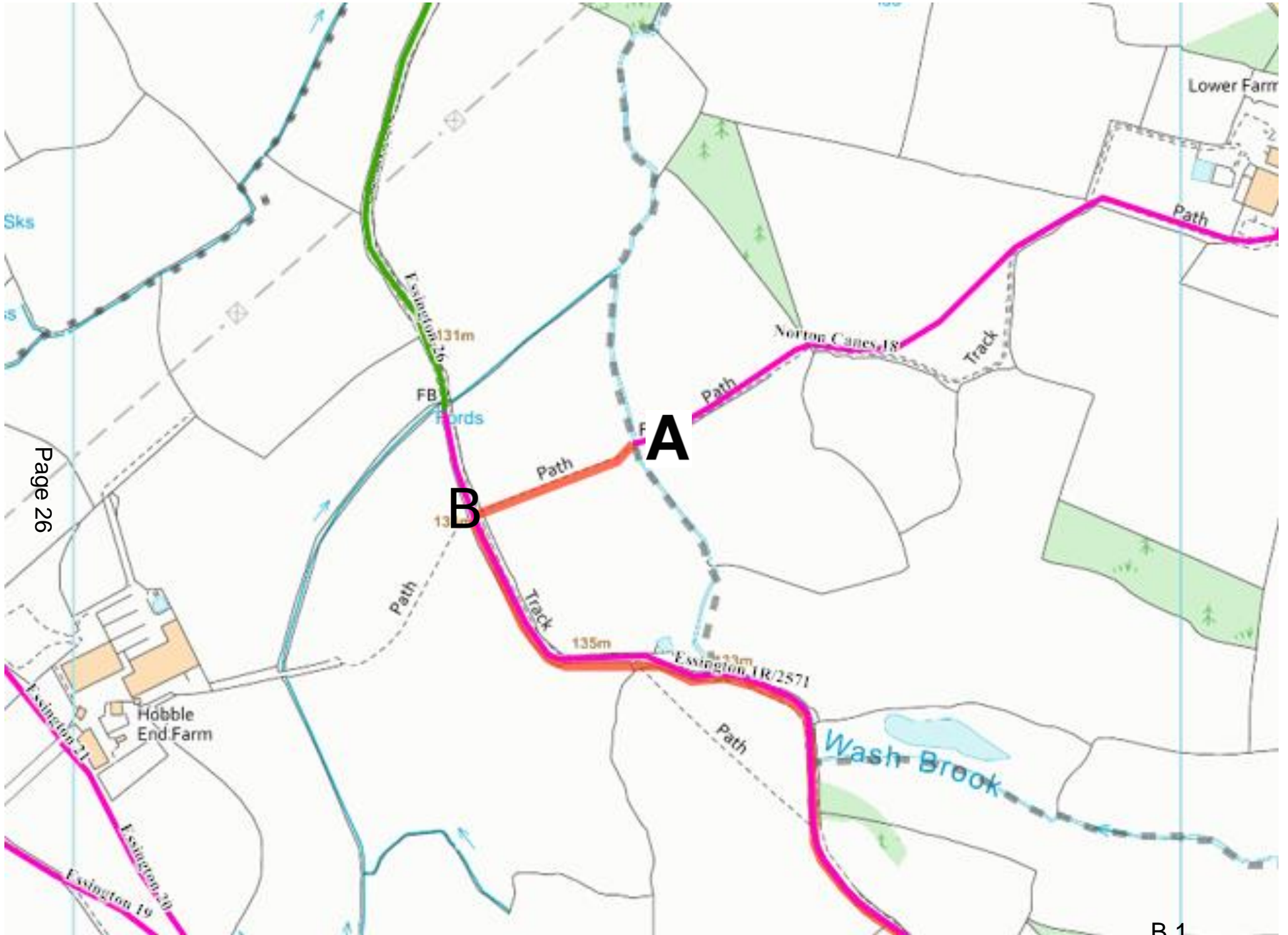
IN WHICH CASE, THE DEPOSITED PLAN EVIDENCE
MAY NOT BE OF ANY USE. (CADMANS LN IS
SHOWN ON LEFT OF TRACING).

PARISH SURVEY (HELD AT GREEN HALL).

THIS SHOWS FP26 CANNOCK TOWN (NORTON CANES)
FROM WYRLEY LN TO CADMANS LN ALONG
CLAIMED ROUTE. IT STATES THAT THE GROUNDS
FOR BELIEVING THE PATH TO BE PUBLIC ARE
THAT IT IS SHOWN ON THE 'RIGHTS OF WAY

MAP OF 1932'. I DO NOT KNOW WHERE
THIS MAP IS.

B. PLAN OF CLAIMED ROUTE



C. FINANCE ACT FIELD BOOK ENTRY

9176

9176

Reference No.

Map. No. 249

Situation Fishley
Description Land.
Extent 11a. 2r. 10p.
Gross Value { Land, £ 12/1
 { Buildings, £ 0/0
Gross Annual Value, Schedule A, £
Occupier Geo. Blakemore
Owner Hussery's Trustees (G.F. Nightingale Agent)
Interest of Owner Freehold
Superior interests

Subordinate interests

Occupier's tenancy, Term 10 years from 25th Nov 1908
How determinable

Actual (or Estimated) Rent, £ 25/- p. a.
Any other Consideration paid

Outgoings—Land Tax, £ paid by
Tithe, £ paid by

Other Outgoings
Who pays (a) Rates and Taxes (b) Insurance Rates—Occp'r Taxes Owner
Who is liable for repairs x (h) Owner

Fixed Charges, Easements, Common Rights and Restrictions

Former Sales. Dates
Interest
Consideration
Subsequent Expenditure
Owner's Estimate. Gross Value
 Full Site Value
 Total Value
 Assessable Site Value
Site Value Deductions claimed

Roads and Sewers. Dates of Expenditure
 Amounts

Page 28

27.

Reference No.

Particulars, description, and notes made on inspection

2 fields of pasture land with public footpath across

Charges, Easements, and Restrictions affecting market value of Fee Simple

Valuation.—Market Value of Fee Simple in possession of whole property in its present condition

Over No 142.
11.56 ac. @ £35 p. a. = say £400
less public footpath 20

£ 380
Deduct Market Value of Site under similar circumstances, but if divested of structures, timber, fruit trees, and other things growing on the land
as above £ 380
Difference Balance, being portion of market value attributable to structures, timber, &c.....£ -

Divided as follows:—
Buildings and Structures.....£ -
Machinery£
Timber£
Fruit Trees.....£
Other things growing on land.....£
Market Value of Fee Simple of Whole in its present condition (as before)£ 380
Add for Additional Value represented by any of the following for which any deduction may have been made when arriving at Market Value:—
Charges (excluding Land Tax)£
Restrictions Rt. of way£ 20
GROSS VALUE...£ 400

Reference: M 58/87053
Reproduction may infringe copyright
PUBLIC RECORD OFFICE
1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20

Index Letter	Reference No.						
	Description of Buildings	Dimensions			Cubical Contents	Condition	Remarks
		Frontage	Depth	Height			

Reference No. _____	
GROSS VALUE.....£	400
Less Value attributable to Structures, timber, &c. (as before) £	-
FULL SITE VALUE.....£	400
Gross Value (as before)	£ 400
Less deductions in respect of—	
Fixed Charges, including—	
Fee Farm Rent, rent seck, quit rent, chief rents, rent of Assize	£
Any other perpetual rent or Annuity ...£	
Tithe or Tithe Rent Charge	£
Other Burden or Charge arising by operation of law or under any Act of Parliament £	
If Copyhold, Estimated Cost of Enfranchisement	£
Public Rights of Way or User	£ 20
Rights of Common	£
Easements	£
Restrictions	£
	£ 20
TOTAL VALUE.....£	380

Less Value attributable to Structures, timber, &c. (as before)	£ -
Value directly attributable to—	
Works executed	£
Capital Expenditure	£
Appropriation of Land	£
Redemption of Land Tax	£
Redemption of Other Charges	£
Enfranchisement of Copyhold, if enfranchised.....	£
Release of Restrictions	£
Goodwill or personal element	£
Expense of Clearing Site	£ -
ASSESSABLE SITE VALUE.....£	380
If Agricultural land, the value for Agricultural purposes ^{including} _{excluding} Sporting Rights.....	£
Value of Sporting Rights	£
If Licensed Property, the annual license value / ...£	
Liable to Undeveloped Land Duty as from	
For further reference as to Apportionments, &c., see	

Reference: **M58/87053**

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PUBLIC RECORD OFFICE

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

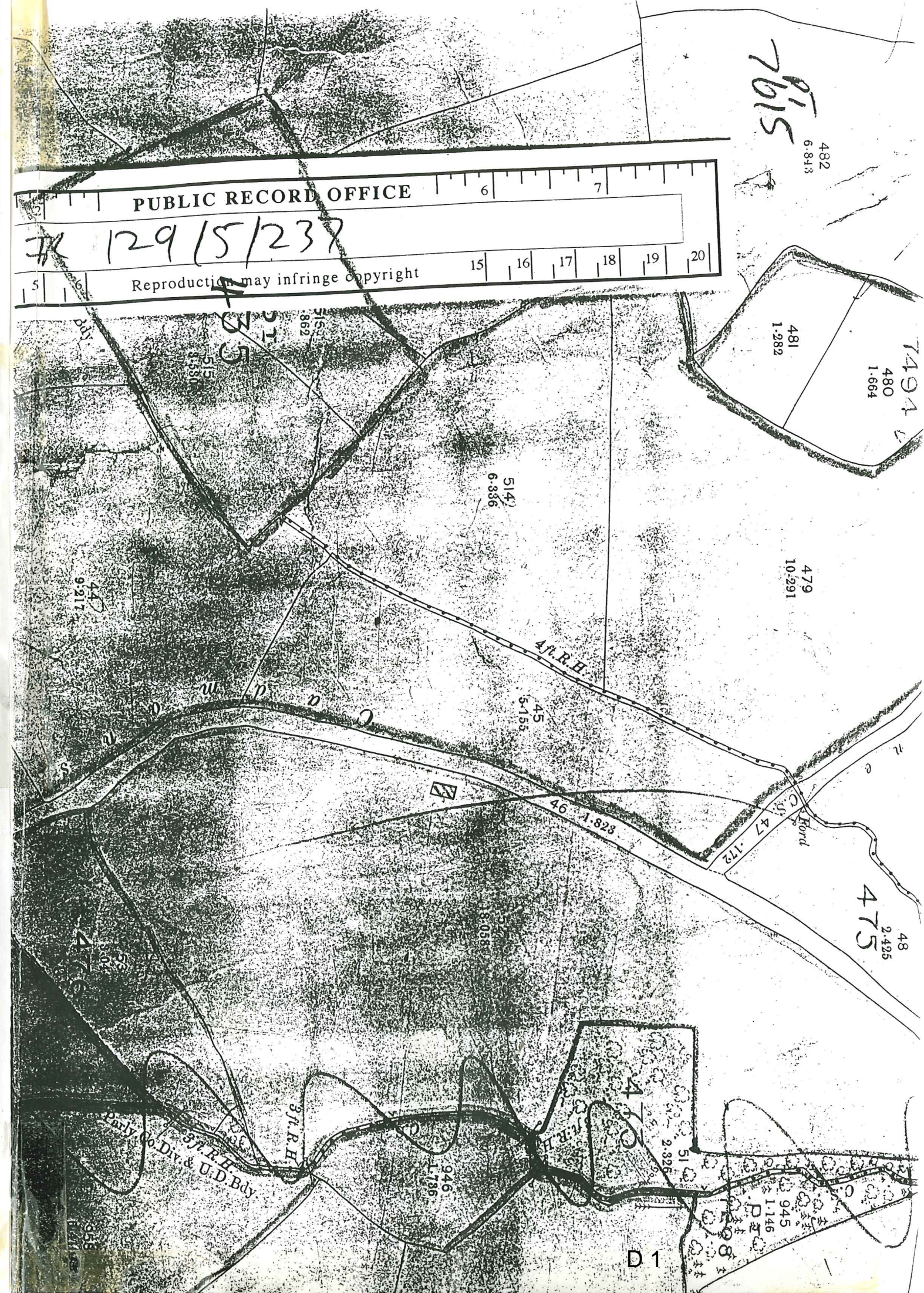
~~XXXXXXXXXX~~

~~XX~~

1910 FINANCE ACT

FIELD BOOK

D. FINANCE ACT PLAN



E. TRACING OF DEPOSITED RAILWAY PLAN

Q/Ram/209 (1845)

DEPOSITED PLAN FOR
RAILWAY.

HOBBLE END



PAGE 34aa PLAN

WALSALL (PAGE 225aa BOOK OF REF)

81 - FIELD, OCC RD + PUB PATH.

NORTON (PAGE 231aa BOOK OF REF)

10 - FIELD, OCC RD + PUB PATH.

11 - " " " " + " " "

12 - BARN, STED + YARD.

13 - RICKYHALL.

14 - FIELD + PUB PATH.

F. CORRESPONDENCE FROM THIRD PARTIES

Our Ref: GWS/LCB

Your Ref: AB7/LJ621G

10 January 2020

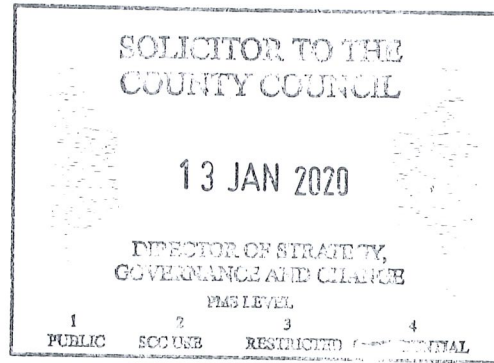


Fisher German LLP
2 Rutherford Court
Staffordshire Technology Park
Stafford
ST18 0GP

t 01785 220044

f 01785 220944

fishergerman.co.uk



For the attention of Ally Brereton

Director of Corporate Services
Solicitor to The County Council
2 Staffordshire Place
Stafford
ST16 2DH

Dear Sirs

Alleged footpath from Cadmans Lane, Essington to Footpath No 26B Norton Canes, Cannock Chase District

I act for the Little Wyrley Estate, the owner of the land affected by the application to create a footpath referred to in your letter of 31 December 2019.

I have discussed the matter with my client and the farm tenant, and reviewed the evidence included with your letter in support of the application, and comment as follows:

1. I understand that an application to close Footpath No 26B was submitted and approved many years ago (c 30 years, quite possibly more). The definitive map was updated to remove the path (which has not been used for many years) in the Essington Parish, but for some reason this did not happen in Norton Canes due to an omission at the Council at the time. The farm tenant has had personal involvement in the matter from the outset and would be happy to assist with enquiries and provide evidence if required.
2. May I request that as part of your investigations you review your files to confirm the above and complete the stopping up process.
3. Having reviewed the supporting information included in your letter, I can see that the proposed route has been shown as a track on maps for many years. This does not however confirm that the route was open to or used by the public.
4. The information also includes a report by the Rights of Way Officer in 1952 quoting justification of the route being public by referring to one of the maps dated 1932. The map is a tracing, of very poor quality and impossible to identify with any certainty the alleged footpath. Again, the existence of a track (if identifiable) does not in itself prove the existence of a public right of way.
5. The report goes on to describe the route. It is not clear from the report that the route is in fact the one now known as Footpath 26 B. It is described as starting at School Lane, by Home Farm. Footpath 26B starts on Wyrley Lane by Lower Farm. The description appears to be more befitting of Footpath 56B, although it is not clear. The description states that the route is in any event 'obviously never used'.

In summary the evidence submitted does not appear to support the dedication of a public footpath, and in any case Footpath 26B should have been formally stopped up many years ago, which renders the application void.

CONT/.....



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Way, Ashby De La Zouch Leicestershire. The members' names is
available for inspection at the registered office.
Regulated by RICS.



F 1

Please contact George Simpson if you wish to discuss this matter further.

Yours faithfully



G W Simpson MRICS FAAV

Partner

For and on behalf of Fisher German LLP

direct dial: 01785 273995

mobile: 07810 378185

email: george.simpson@fishergerman.co.uk

Brereton, Ally (Corporate)

From: Sue Jones <railswoodlodge@plus.com>
Sent: 16 July 2020 12:45
To: Brereton, Ally (Corporate)
Subject: Disused Footpath at Lower Farm, Little Wyrley,

Dear Madam,

I was a tenant at Lower Farm, Little Wyrley until 1990. The footpath to my knowledge has not been used since 1968. I understood it was closed through disuse and Health and Safety as it went straight through our cattle yard.

Yours sincerely,

Edmund Roy Blakemore

Railswood Farm, Pelsall, Walsall, Ws3 4BE.

Tel. 01922 682248

Brereton, Ally (Corporate)

From: hobbleendfarm@btconnect.com
Sent: 16 July 2020 20:18
To: Brereton, Ally (Corporate)
Subject: FW: Public Footpath

From: hobbleendfarm@btconnect.com <hobbleendfarm@btconnect.com>
Sent: 16 July 2020 18:33
To: 'uk' <ally.brereton@staffordshire.gov>
Subject: Public Footpath

From Mr Graham Sadler
Lower Farm
Little Wyrley
Pelsall
WS3 5AG

Ref: **Footpath between Cadman's Lane and Footpath 26B**

We have been tenants for more than 20 years on the farm detailed above and neighbouring farms.

The footpath in question has been closed for more than 35 years. The area is renowned for fly tipping particularly where the access is proposed. The footpath would be adjacent to a hay barn, the road side access is used by drug addicts so their needles and other drug related items are left lying around. If the foot path is opened, no doubt the drug users will gain access to the farm yard, at present they can not access the yard. Approximately 250 metres North East of Lower Farm there is an existing public footpath on a wide track which leads to Cadman's Lane, is there is any need to re-open a second path when one exists 250 metres away running parallel with the proposed path. From a farming Health and Safety point, people wandering through the farm yard with pets, disrupting the livestock, leaving behind litter and dog faeces. Dog faeces is a direct cause of Neosporosis in cattle which in turn results in the cattle aborting their calves. The fields adjacent to the farm where the proposed path is, are the fields used to closely monitor the pregnant cows due to calve. As cows with new born calves can become very protective of their young, from a health and safety point we feel this path should not be opened.

Mr G Sadler
07778 112906

Please use the email of hobbleendfarm@btconnect.com
Or Write to
Hobble End Farm
Hobble End Lane
Newtown
Walsall WS6 6AS

Brereton, Ally (Corporate)

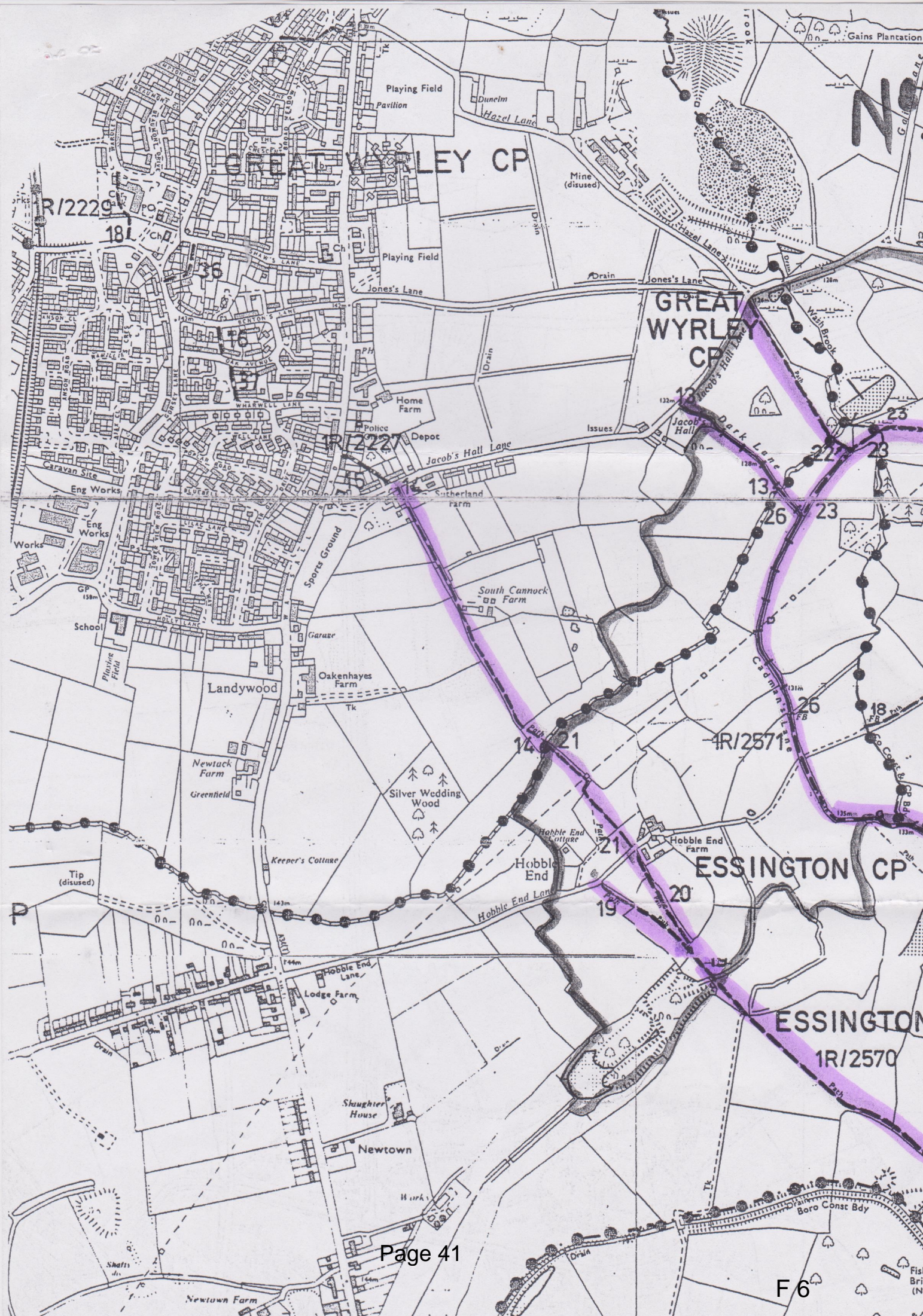
From: hobbleendfarm@btconnect.com
Sent: 17 July 2020 11:27
To: Brereton, Ally (Corporate)
Subject: footpath
Attachments: map1staffs 001.jpg; map2staffs 001.jpg; map3letstaffs 001.jpg; Footpath info - last email! ; Footpath photos ; Footpath Photos 2; Footpath Photos 3

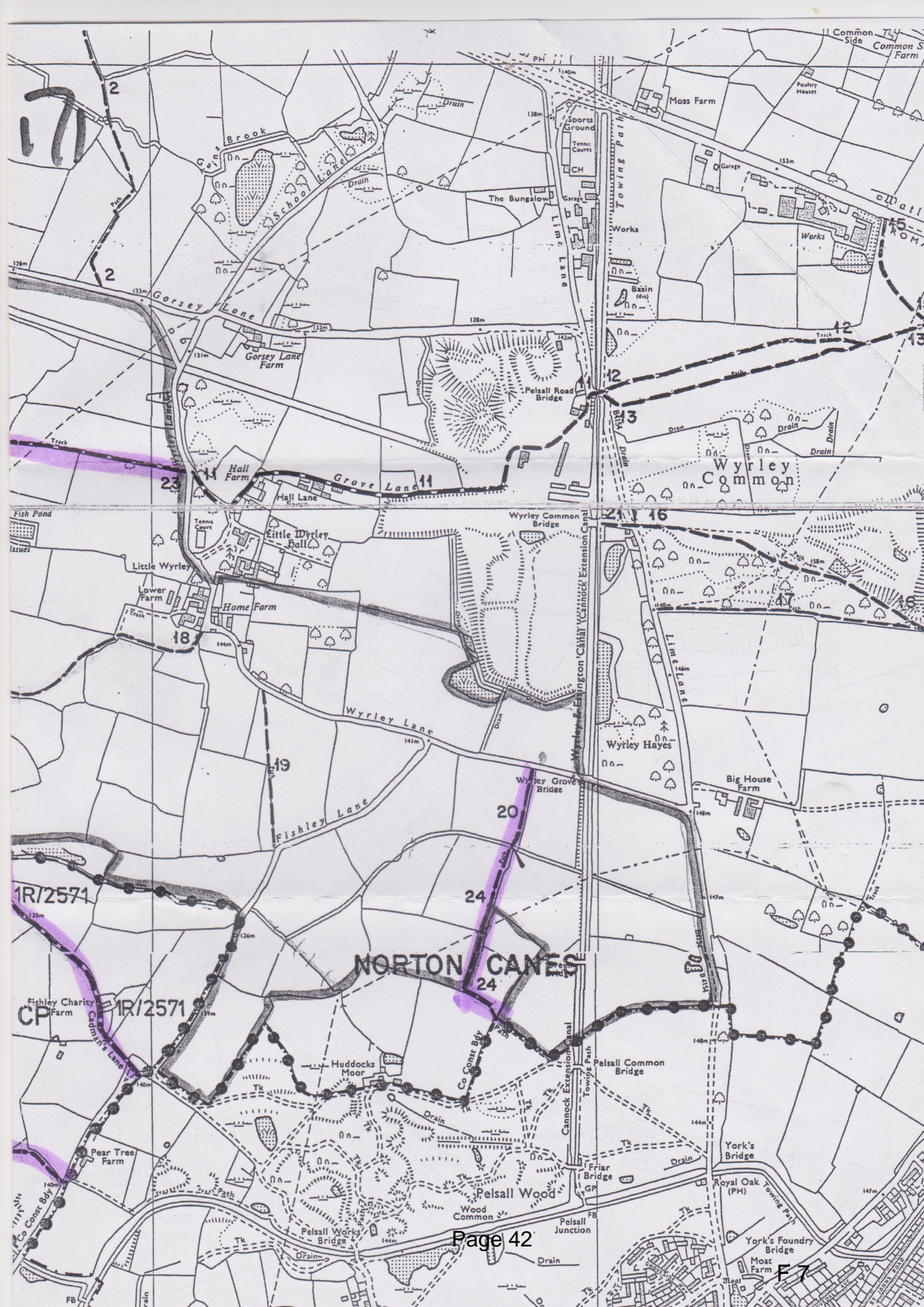
Morning

Following on from our previous email please find attached copy documents to support our claim

Regards

Graham Sadler





17

1R/2571

CP 1R/2571

NORTON CANES



Staffordshire
County Council

Countryside Services

PETER F. MORRIS
County Countryside Officer

Cultural and Corporate Services Department,
Green Hall,
Lichfield Road,
Stafford, ST17 4LA
Telephone Stafford (01785) 277241
Facsimile Stafford (01785) 277727
E-mail peter.morris@staffordshire.gov.uk

Please ask for Miss N. Moore

G. & Y. Sadler,
Hobble End Farm,
Newton,
Nr. Walsall.

WS6 6AS

My Ref: 3520 NM/JH

Your Ref:

Date: 25 June 2001

Dear Messrs. Sadler,

Reopening of Public Rights of Way

Thank you for returning the map indicating the boundaries of your holding.

I shall ensure that the rights of way highlighted on the attached map which are located within, and lead to your holding, remain closed until such time as the Form A Notice is removed.

In the event that the closure notices at the ends of these paths are removed, please let me know and I shall arrange for them to be replaced.

Yours sincerely,

Noreen Moore

Noreen Moore
for Director of Cultural & Corporate Services

Brereton, Ally (Corporate)

From: Zoe King <zoeking99@hotmail.co.uk>
Sent: 16 July 2020 21:02
To: hobbleendfarm@btconnect.com
Subject: Footpath info - last email!

Link to councils footpath map if you don't already have it:

<https://www.staffordshire.gov.uk/environment/RightsofWay/Footpaths-bridleways.aspx>

Below pic shows the one in question and also shows "Norton Canes 23" which runs parallel & around down Cadmans Lane etc.

Hope this is helpful x



Find address or place 

33

Great Wyrley 12

Essington 23

Norton Canes 23

06

129

Little Wyrley

Lower Farm

Essington 26

Mash Brook

135

140

Norton Canes 18

0 0.15 0.3 km

Ordnance Survey data © ...

esri F10

Brereton, Ally (Corporate)

From: Zoe King <zoeking99@hotmail.co.uk>
Sent: 16 July 2020 20:55
To: hobbleendfarm@btconnect.com
Subject: Footpath photos

This is the ditch & hedge at the footpath end/ wash brook, from Lower Farm, facing towards Cadmans Lane





Brereton, Ally (Corporate)

From: Zoe King <zoeking99@hotmail.co.uk>
Sent: 16 July 2020 20:59
To: hobbleendfarm@btconnect.com
Subject: Footpath Photos 2

Lower Farm gates and the farmyard





Brereton, Ally (Corporate)

From: Zoe King <zoeking99@hotmail.co.uk>
Sent: 16 July 2020 20:59
To: hobbleendfarm@btconnect.com
Subject: Footpath Photos 3

Parallel footpath "Norton Canes 23" from Wyrley Lane



Brereton, Ally (Corporate)

From: hobbleendfarm@btconnect.com
Sent: 17 July 2020 11:53
To: Brereton, Ally (Corporate)
Cc: stephen.buckingham@fishergerman.co.uk; jeremy.lowe@nfu.org.uk
Subject: Additonal information
Attachments: closed path 001.jpg

Good Morning

The letter from Staffs CC dated 25th June 2001 and the attached map shows the footpaths that were closed due to the Foot and Mouth outbreak which was at Lower Farm. As you will see the path in question was not highlighted in purple by Staffs CC for closure, proving that it was no longer registered as an open footpath.

Regards

Graham Sadler

No 171

GREAT WYRLEY CP

1R/2571

ESSINGTON CP

1R/2571

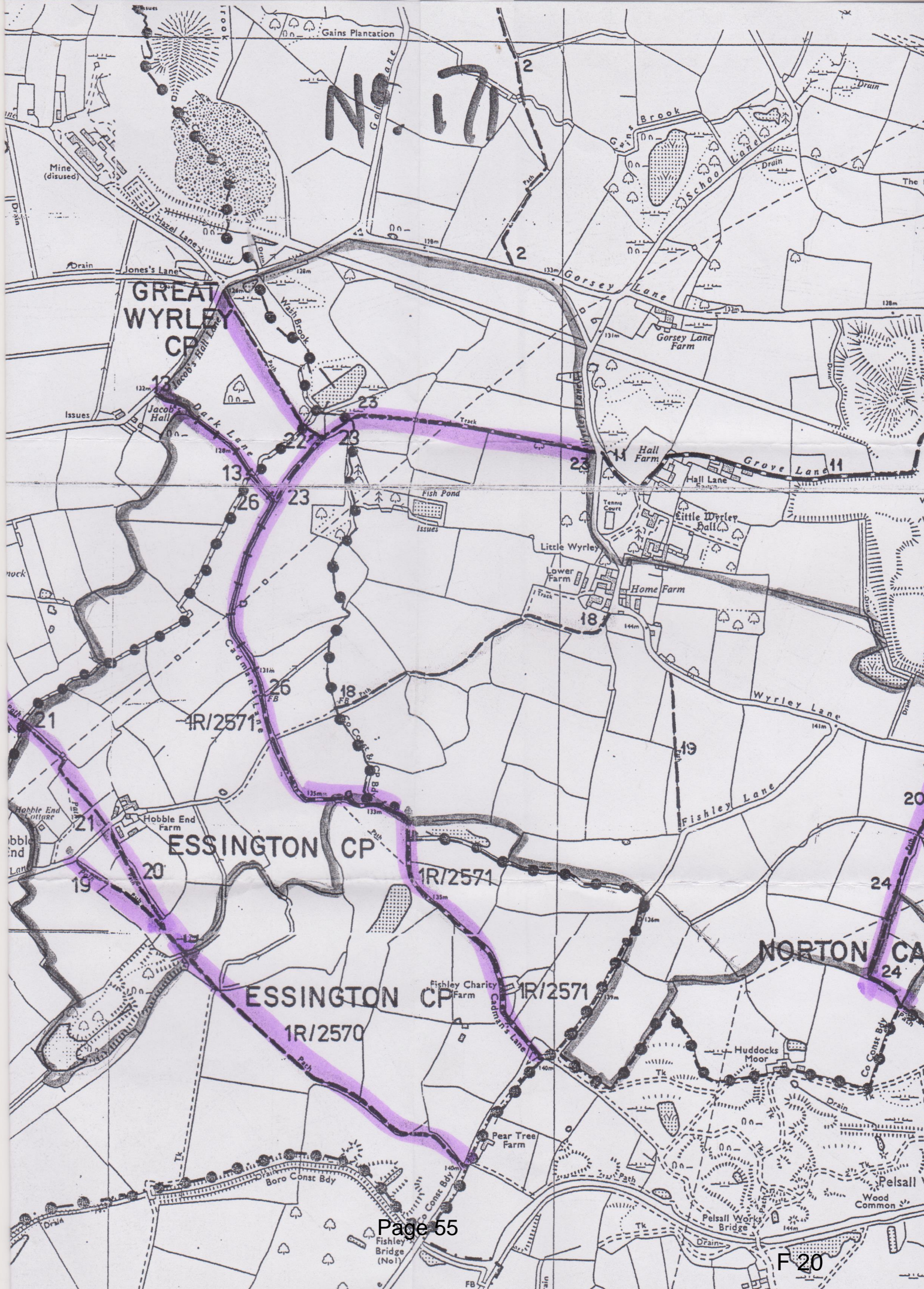
ESSINGTON CP

1R/2570

1R/2571

NORTON CA

24



Brereton, Ally (Corporate)

From: hobbleendfarm@btconnect.com
Sent: 29 July 2020 12:15
To: Brereton, Ally (Corporate)
Cc: stephen.buckingham@fishergerman.co.uk; jeremy lowe
Subject: Cadmans Lane
Attachments: WALKER.pdf

Good Afternoon

Please find attached a letter that we have been asked to forward on to you, as the gentleman Mr Arch has no access to email. He sought out Mr Graham Sadler and asked for his help. Mr Arch is aware the deadline has closed but feels so strong about the reopening has asked us to make sure that the relevant people receive his opinion. As you will read he only found out recently from another walker hence the lateness of his appeal.

Regards

Lower Farm

MR.J.P.ARCH,
35 POPLAR ROAD,
GREAT WYRLEY,
WS6.6HD.

TO WHOM IT MAY CONCERN,

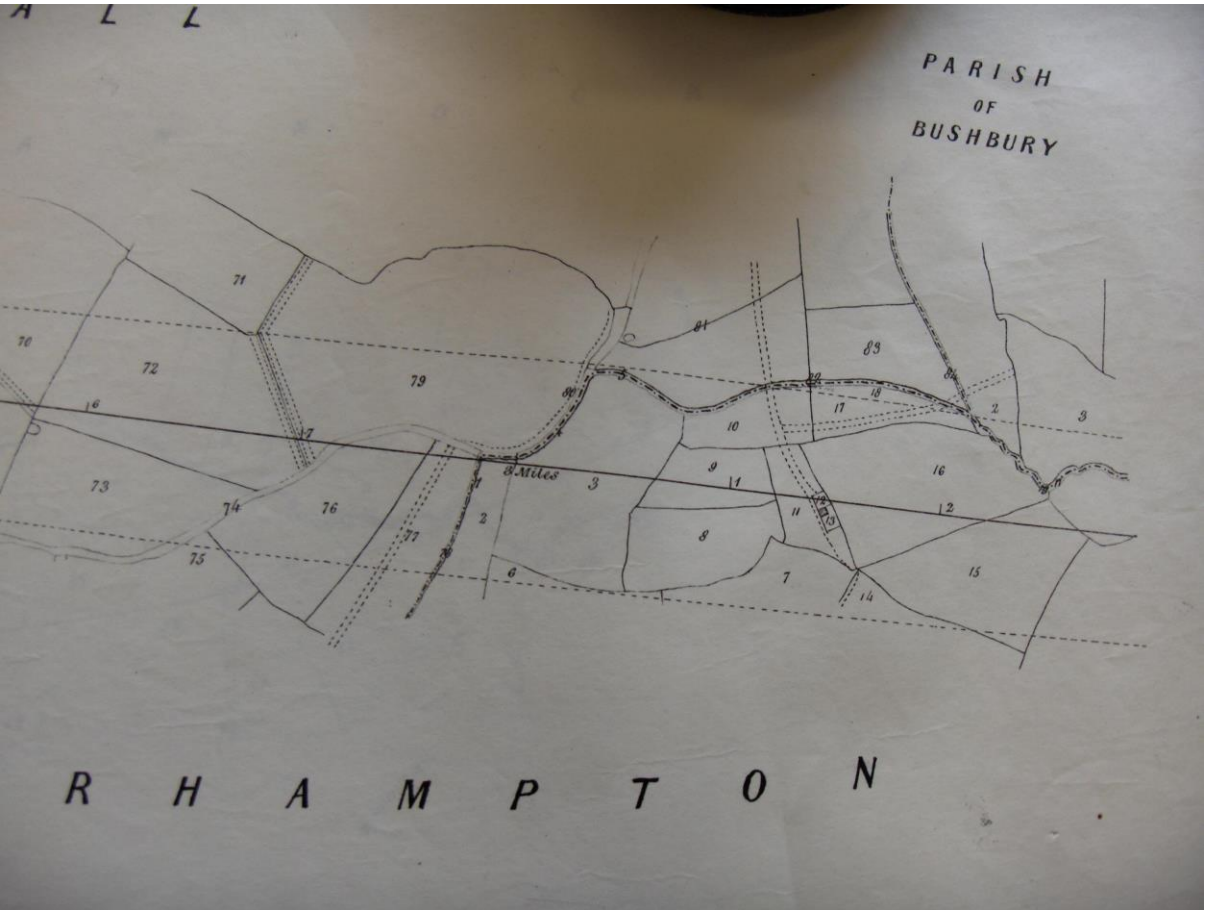
AS AN AVID WALKER FOR MOST OF MY 81 YEARS,I TAKE JOY IN THE AREA IN WHICH I LIVE.
FROM GREAT WYRLEY THERE ARE NUMEROUS FOOTPATHS AND QUIET LANES TO
FREQUENT,HOWEVER UPON MEETING A FELLOW WALKER,IT APPEARS THERE IS A
PROPOSAL TO OPEN UP A NINETEENTH CENTURY FOOTPATH ACROSS FROM THE FARM
(LOWER FARM),DIAGONALLY TO LINK UP WITH PART OF CADMANS LANE,HOW LUDICROUS!
FROM THE PROPOSED START AT THE FARM GATES IF ONE WALKS 250 YARDS IN A NORTH-
EASTERLY DIRECTION,OPPOSITE TO THE ENTRANCE TO LITTLE WYRLEY HALL THERE IS A
STYLE LEADING TO THE SAID CADMANS LANE.AT THIS LOCATION THERE IS ADEQUATE
ROOM TO PARK A VEHICLE.I DO NOT HAVE A SPECIFIC AGENDA ON THIS MATTER BUT AS I
HAVE LIVED ON A FARM FOR 14 YEARS,IS THIS ACTION REALLY NECESSARY,AND WHY?.
OPENING UP THE COUNTRY-SIDE FOR LAW-ABIDING PEOPLE IS FINE BUT THE SHEDS AND
OUT-BUILDINGS HERE WILL BE A MAGNET FOR CRIMINALS AND AS A RETIRED POLICEMAN
I CAN VOUCH FOR THAT AS RURAL CRIME,AS YOU MAY KNOW IS RIFE,AN EASY TARGET!.
THE APPROACH TO THE PROPOSED STYLE WILL BE A CAR PARK,WHERE HEAVY FARM
VEHICLES WILL BE OPERATING.WHERE IS THE HEALTH AND SAFETY LOBBY WHEN NEEDED?,
THIS IS AN ACCIDENT AND INCIDENTS WAITING TO HAPPEN.NOT KNOWING THE FULL
CIRCUMSTANCES OF THIS PROPOSITION IF IT IS A ONE PERSON CRUSADE,I OPPOSE IT.
THERE ARE QUITE ENOUGH AREAS TO WALK LOCALLY,TO ME THIS SEEMS LIKE AN IDLE
MANS SHORT CUT.IN ADDITION ALL LANDOWNERS IN THIS AREA ARE NOT ANTI WALKERS
BUT ARE IN MY EXPERIENCE VERY ABIDING.

YOURS IN GOOD FAITH JOHN PETER ARCH.



F 22

G. DEPOSITED RAILWAY PLAN



H. EXTRACT FROM RAILWAY BOOK OF REFERENCE

				and Occupation Road
80	d ^o	d ^o	d ^o	Brook Course
81	Sarah Knight		Thomas Snider	Field Occupation Road and Public Foot Path

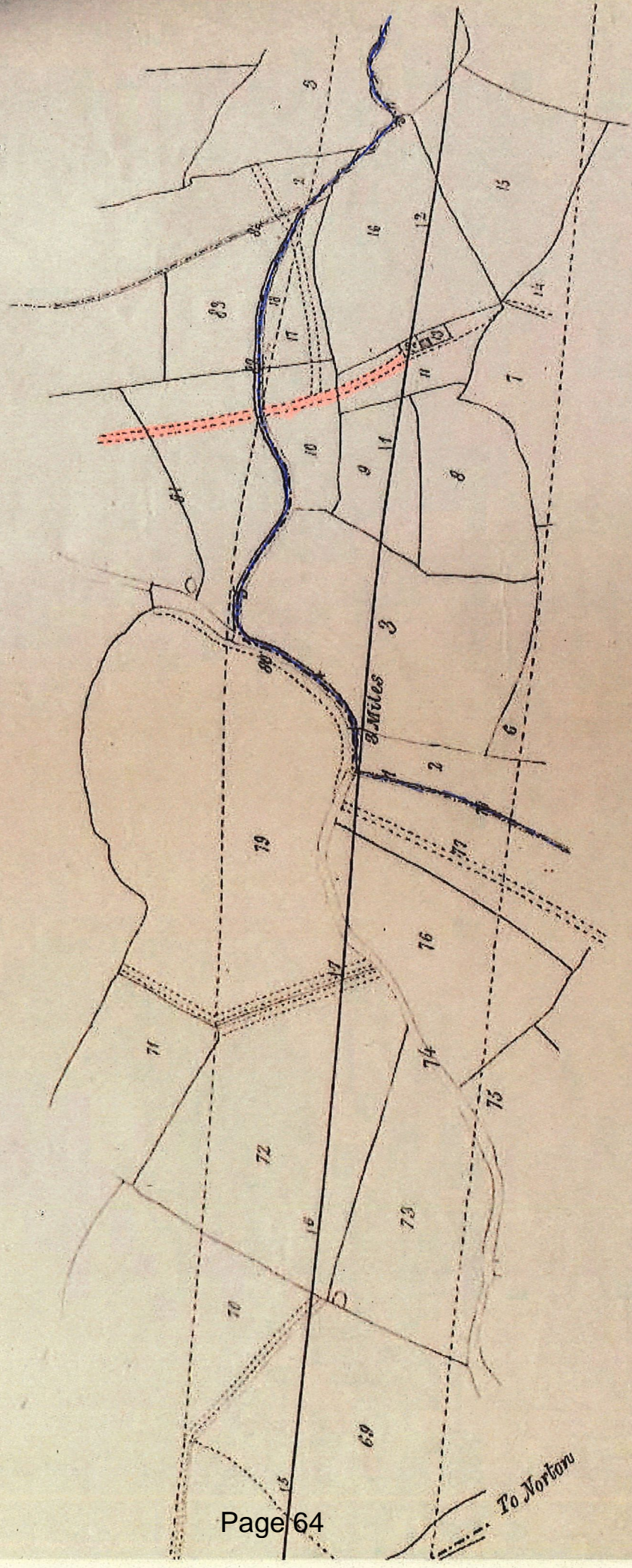
Parish of Walsall - County of Stafford

No. on Plan.	Owner or Reputed Owner.	Lessee or Reputed Lessee	Occupier.	Description of Property.
75	The Trustees of the Fiskley Charity (otherwise) Thistley Charity		Thomas Cadman	Field
76	d ^o		d ^o	Field
77	d ^o		d ^o	Field and Occupation Roads

I. ANNOTATED DEPOSITED RAILWAY PLAN

L S A L L

PARISH
OF
BUSHBURY



J. PARISH SURVEY PLAN

Local Authority BROWNHILLS Parish NORTON CANES
 Dates between which survey was made:

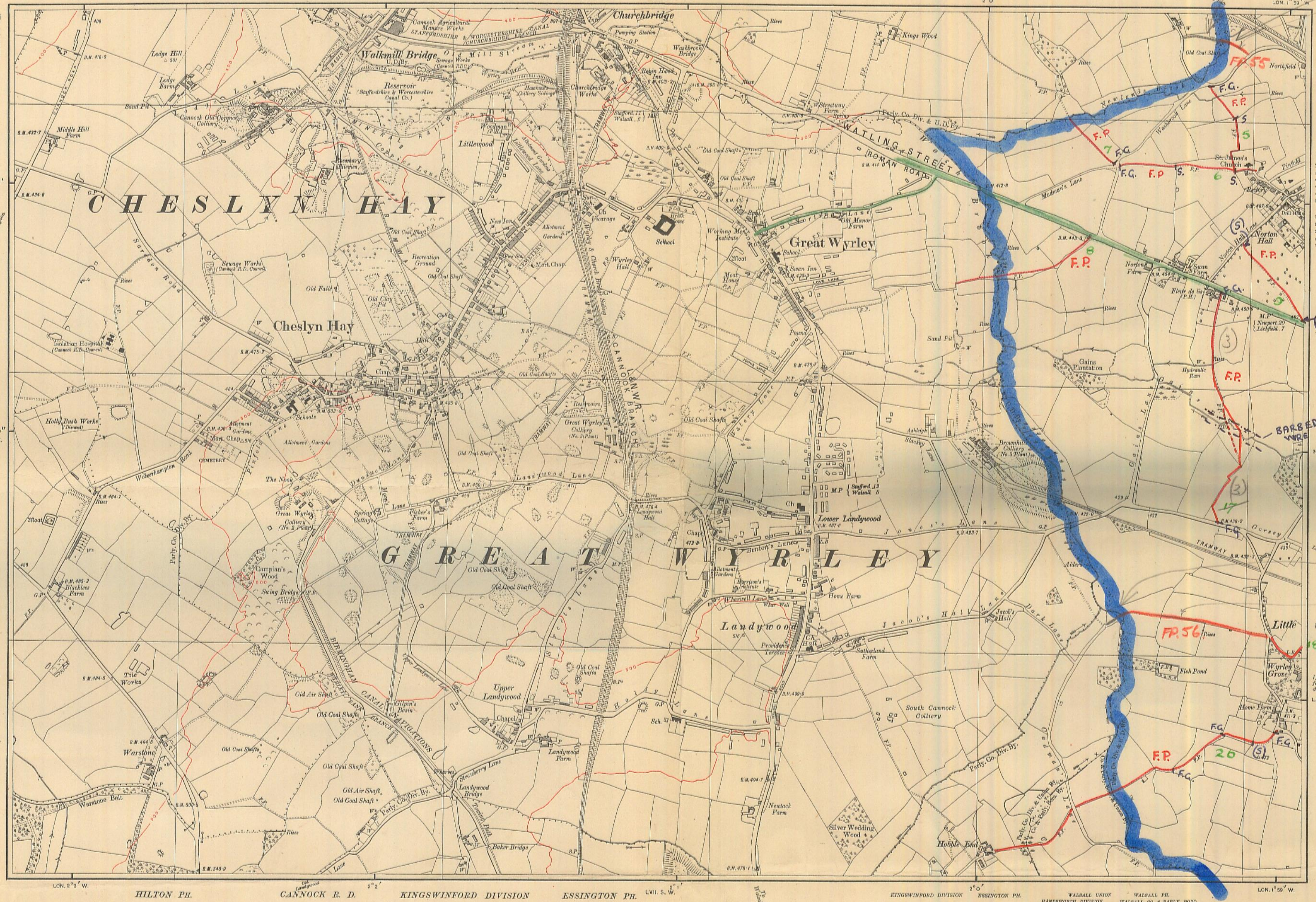
National Parks and Access to the Countryside Act 1949
 STAFFORDSHIRE COUNTY COUNCIL SURVEY OF RIGHTS OF WAY
PROVISIONAL EDITION.

NOTE: See Memorandum "SURVEY OF RIGHTS OF WAY" for symbols to be used and method of marking the maps

Revision of 1915 with additions in 1938.

STAFFORDSHIRE SHEET LVII, N. W.

Cannock F.P. 68
FR 55
Added to survey
include
MP

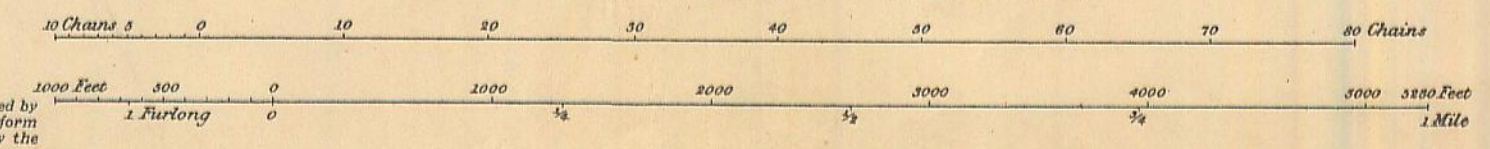


HIGHFIELD DIVISION
 BROWNHILLS U. D.
 NORTON CANES PH.
 WALSALL UNION
 WALSALL PH.
 WALSALL CO. 4 FARLEY ROAD

ESSINGTON FP 23
Wyrley Added to survey FP 56
 If this margin is removed for mounting paste this diagram on back.
 LAT. 52° 30'

Surveyed in 1882. Re-levell'd in 1915. Boundaries Revised to 1915.
 Adjusted to the New Geodetic Levelling and Newlyn Datum in 1920-22.
 100/44 Ch.

Scale - Six Inches to One Statute Mile or 680 Feet to One Inch - 10380



CHARACTERISTICS AND SYMBOLS

County Boundary	Antiquities, Site of	+
Parliamentary Division Boundary	-----	Arrow, showing direction of flow of water	→
Union Boundary	-----	Instrumental Contours
Rural District Boundary	-----	Contours
Parish Boundary	-----	Triangulation Station	△

The roads and buildings added in 1938 were surveyed by rapid methods as an emergency measure and do not conform to the accuracy of the rest of the map; consequently the boundaries in these areas do not fall in their correct positions relative to the local detail. They have therefore been omitted between the marks.

N.B.—The representation on this map of a Road, Track, or Footpath, is no evidence of the existence of a right of way.
 Printed and Published by the Director General at the Ordnance Survey Office

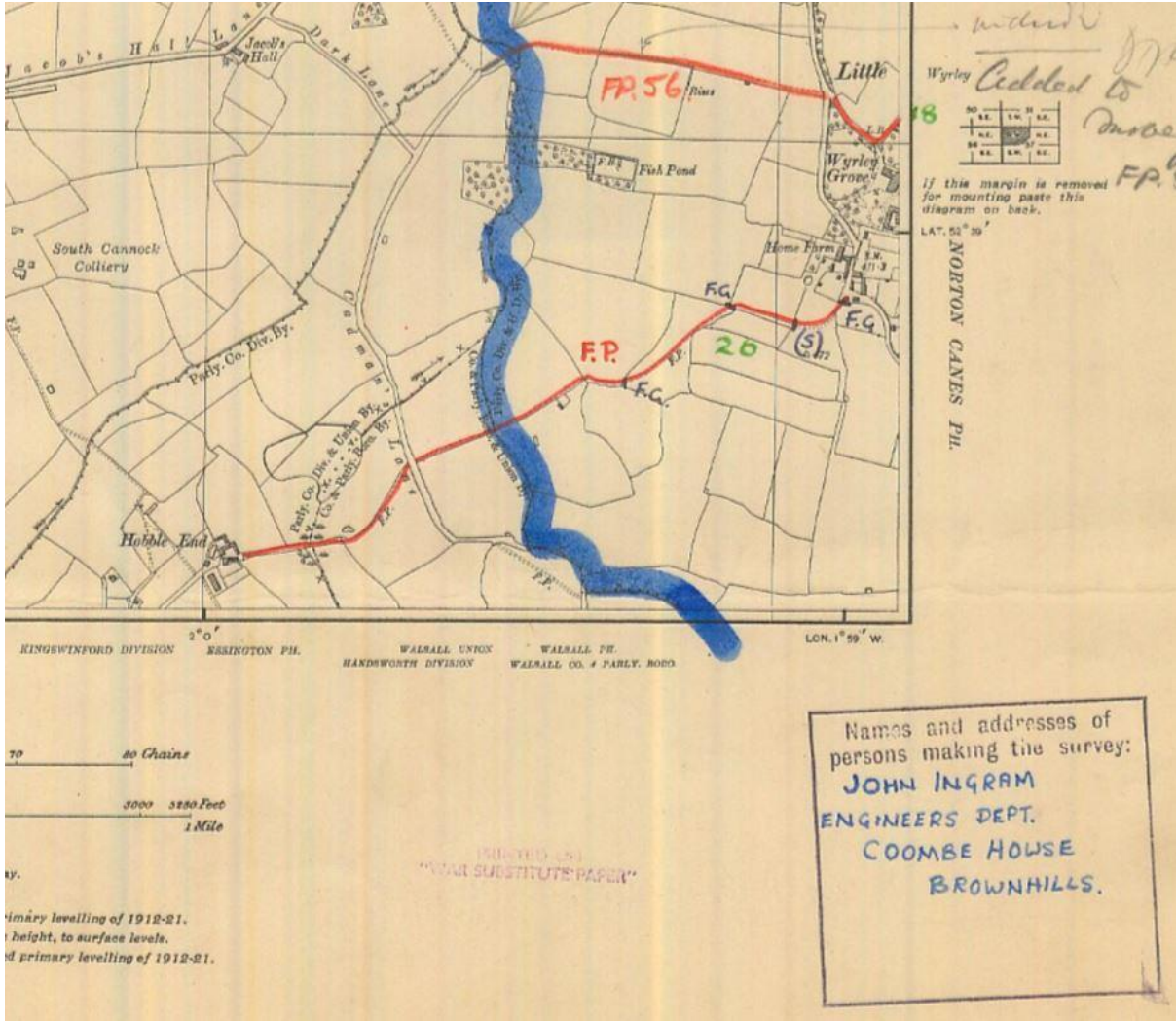
The altitudes of bench marks and surface heights are given in Feet above the mean level of the sea at Newlyn, and are based on the revised primary levelling of 1912-21. Altitudes indicated thus (B.M. 54-7) refer to bench marks on buildings, walls, &c., those marked (•) preceded or followed by the height, to surface levels. The contours on this map are referred to the old Ordnance Survey Datum i.e. assumed mean sea level at Liverpool, and are not based on the revised primary levelling of 1912-21. There may thus be discrepancies of some inches between the contours and the bench marks and spot levels.
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Price 2/- net.

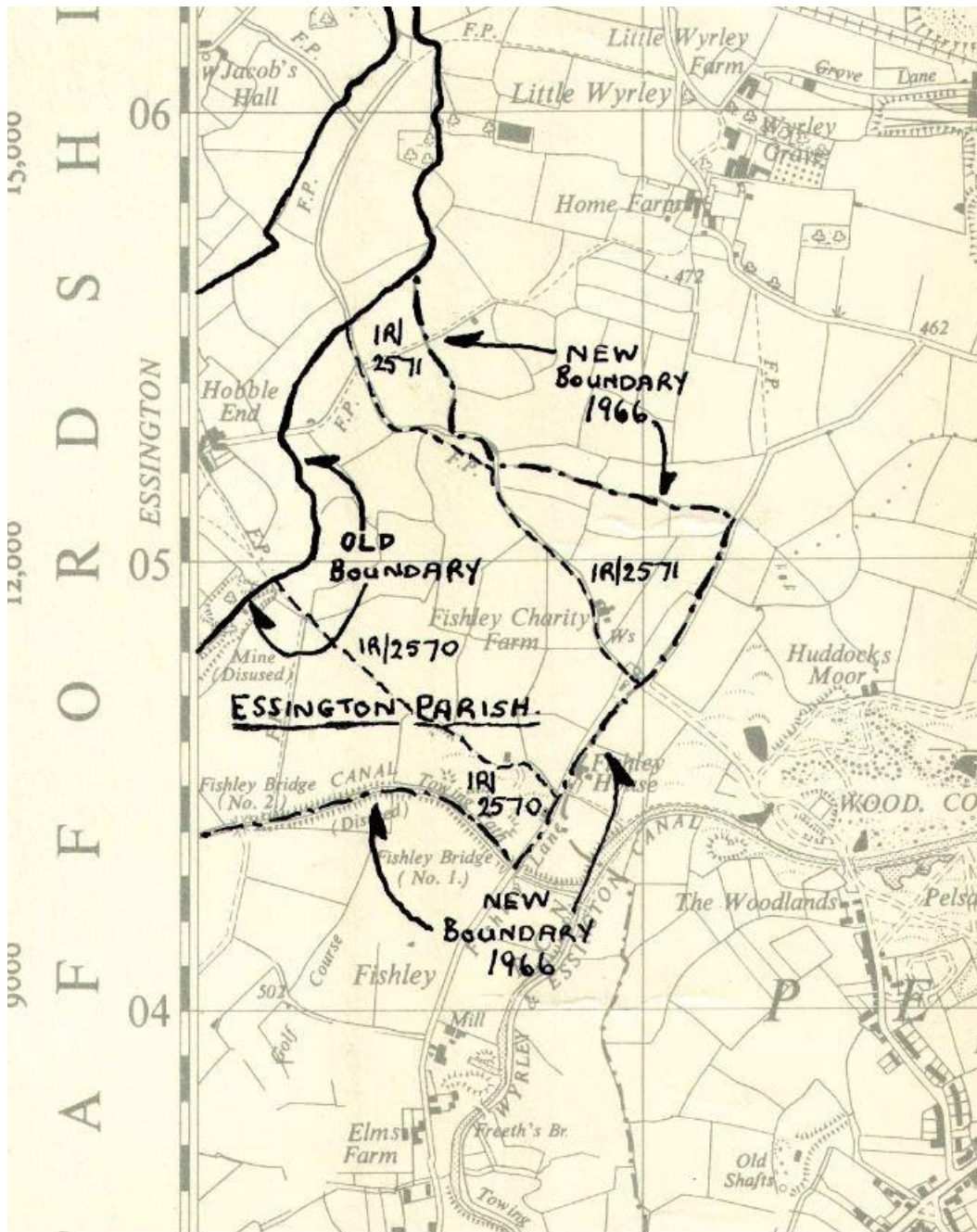
For other information see Characteristic Sheet.

Names and addresses of persons making the survey:
JOHN INGRAM
ENGINEERS DEPT.
COMBE HOUSE
BROWNHILLS.

Page 66



**K. ANNOTATED MAP FROM THE FIRST SPECIAL AND GENERAL
REVIEW OF THE DEFINITIVE MAP**



NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949

LOCAL AUTHORITY : **BROWNHILLS URBAN DISTRICT COUNCIL** PATH No. *26* map :

Staffordshire County Council : Survey of Rights of Way

PARISH : **NORTON CANES**

PATH SYMBOL, as on map : **F. P**

Note—The survey should be carried out as described in the pamphlet "Survey of Rights of Way."

Path starts at :

~~WYRLEY~~
WYRLEY LANE (BY HOME FARM)

Path finishes at :

CADMANS LANE

6" quarter Ordnance Sheet No. :

LVII. N. W.

Names and addresses of persons making the survey :

John Ingram
Engineers Dept
Coombe House
Brownhills

Survey started on *18 Feb* 1952

Survey finished on *9 July* 1952

*- Transferred to
Cannock U.D.
as from
11/4/66*

Grounds for believing path to be public ; please mention Enclosure Award Maps, Tithe Maps, and any other relevant documentary evidence

Rights of Way Map 1932.

Description of route :

This path is very difficult to follow, and is obviously never used nowadays.

The path starts at a field gate in School Lane, Little Wymley, (by Home Farm) goes across a field to a broken stile, follows a hedge to a field gate and stile, then diagonally across a meadow to another field gate, then crosses a narrow stream, and joins Cadman's Lane.

There are no notice boards.

Date of last walking
or riding the path :

29. / 4 / 52.

Local Members' Interest	
Ian Lawson	Biddulph North

Countryside and Rights of Way Panel – 7 August 2020

Wildlife and Countryside Act 1981

Application for an alleged Public Bridleway from Wedgwood Lane (near Marshfield Farm) to Hill Lane (near Acorn Lodge) Gillow Heath

Report of Director of Corporate Services

Recommendation

1. That the evidence submitted by the applicant and that discovered by the County Council is sufficient to show that a Public Bridleway which is not shown on the Definitive Map and Statement for the District of Staffordshire Moorlands subsists along the route shown marked on the plan attached at Appendix A and should be added to the Definitive Map and Statement of Public Rights of Way as such.
2. That an Order made be made to add the alleged right of way shown on the plan attached at Appendix A to the Definitive Map and Statement of Public Rights of Way for the District of Staffordshire Moorlands as a Public Bridleway.

PART A

Why is it coming here – what decision is required?

1. Staffordshire County Council is the authority responsible for maintaining the Definitive Map and Statement of Public Rights of Way as laid out in section 53 of the Wildlife and Countryside Act 1981 (“the 1981 Act”). Determination of applications made under the Act to modify the Definitive Map and Statement of Public Rights of Way, falls within the terms of reference of the Countryside and Rights of Way Panel of the County Council’s Regulatory Committee (“the Panel”). The Panel is acting in a quasi-judicial capacity when determining these matters and must only consider the facts, the evidence, the law and the relevant legal tests. All other issues and concerns must be disregarded.
2. To consider an application attached at Appendix B from Border Bridleway Association made under the provisions of Section 53(3) of the Wildlife and Countryside Act 1981 for an Order to modify the Definitive Map and Statement for the District of Staffordshire Moorlands. The line of the alleged Public Bridleway as claimed by Border Bridleways Association is shown on the plan attached at Appendix A.
3. To decide, having regard to and having considered the application and all the available evidence, and after applying the relevant legal tests, whether to accept or reject the application.

Evidence submitted by the applicant

1. The application is supported by statements from twenty four members of the public who claim to have used the alleged bridleway over varying periods of time. Copies of the statements are attached as Appendix C to this report.
2. For the application to be successful, it will have to be shown that the public have used the alleged route, as of right and without interruption, for a period of at least twenty years prior to the status of the route being brought into question, or that it can be inferred by the landowner's conduct that he had actually dedicated the route as a public right of way, and the right of way had been accepted by the public.
3. In order for the right of the public to have been brought into question, the right must be challenged by some means sufficient to bring it home to the public that their right to use the way is being challenged.
4. In this instance there does not appear to be any challenge to the actual usage of the route by any person nor have there been any obstructions put in place to prohibit or restrict use during the twenty years prior to the application date. There is however mention of the alleged bridleway becoming overgrown and difficult to use in more recent years.
5. Where there is no identifiable event which has brought into question the use of a way, Section 31(7B) of the Highways Act 1980 (as amended by Section 69 of the Natural Environment and Rural Communities Act 2006) provides that the date of an application for a modification order under Section 53 can be used as the date at which the public's use was brought into question.
6. In the absence of any other major or identifiable challenge to the public's use of the claimed route the date of the application, 15th January 2016, will be used as the challenge date. Accordingly, the requisite twenty year period of use should be calculated retrospectively from this date.
7. A summary of the salient points from the user evidence forms has been compiled in a table. This is attached at Appendix D.
8. An examination of the forms will show that of the twenty four submitted only thirteen users have over twenty year usage. The majority of user evidence forms would appear to have been completed in 2015. These have all recorded usage that covers the relevant twenty year period, from 1995 to 2015. The recorded use for all of the users is on horse back although four users out of the thirteen have stated that they have also used the claimed route on foot and/or with a cycle.
9. The remaining ten users do not have the requisite twenty years period of usage. However, when combined, the evidence from Simpson and Twigg do actually form a full twenty year period of use on horseback. Therefore there are a total of fourteen periods of twenty year usage.
10. Five users of the remaining ten users claim a period of use of fifteen years from 2000 to 2015. This use is on horseback with 2 users stating they also use the claimed route on foot and with a cycle.
11. One user does not state the time period of usage and only state on their form that they have used the claimed route on horseback and the remaining three users have usage of eighteen, sixteen and eleven years respectively also on horseback.
12. The final 3 users have usage periods of 18 years, 16 years and 11 years respectively. This use is between 1997 and 2015. The recorded use is on horseback for these users.

13. The width of the route does vary amongst the users but the minimum would appear to be one and half metres with some users stating it widens to five metres.
14. No user has stated that they have ever been turned back or told to seek permission. Nor have any users mentioned any signage intended to discourage or prevent use or to challenge users.
15. The table shows that the frequency of use mainly is on horseback with a handful of users stating that they have also use the claimed route on foot or with a cycle.

Documentary evidence submitted by applicant

16. The applicant has submitted in addition to the user evidence forms the following pieces of documentary evidence
 - a copy of a Finance Act plan from 1910, a copy of which is attached at Appendix E. The Finance Act plan does show the claimed route and it is separate from the adjoining landholdings. However, this is not an indication that the route is public. It could well have been a private route which served a number of properties.
 - a copy of the Biddulph/Gillow Heath Inclosure Award from 1841, a copy of which is attached at Appendix F. The claimed route is not shown in its entirety on this plan.
 - a first edition OS map from 1889, a copy of which is attached at Appendix G. The claimed route is shown in its entirety.
17. Whilst the documentary evidence submitted may be an indication of a physical feature, it does not indicate whether the route is public or private and therefore does not add any significant weight to the claim. This application should therefore be considered on the basis of the user evidence submitted.
18. The applicant also submitted copies of email correspondence relating to the status of the route and the correspondence revealed that the route was not currently maintained by the County Council as a Highway.

Evidence submitted by the Landowners

19. In 2016 when the application was received, landowners were contacted. A response was received from one landowner who stated that they believed that the route was public. A copy of their response is attached at Appendix H.

Comments received from statutory consultees

20. The Council have not received any responses from the various organisations who were consulted on this application.

Comments on User Evidence

21. Section 31 of the Highways Act 1980 sets out the test that must be satisfied under statute for a way to become a public highway through usage by the public.
22. It is clear from the available user evidence that there have been no interruptions to their use and that there have been fourteen periods of twenty year use. The application was not made as a consequence of a challenge to members of the public using the way. Nor have any of the users used force or sought permission to use the route and that usage has not been in secrecy. The land that the path crosses is not of a character that would prevent the dedication of a way.
23. The path used by all users is on the same line and there has been no indication that they have deviated from that line. The evidence forms do not support any contention

that the users are drawn from a particular section of society or that use is limited to members of a particular area. While it is usual for the evidence to come from people who live in a locality there is nothing to suggest that this is a prerequisite for use in this instance.

24. The statutory test refers to use of over twenty years and in the evidence submitted there are fourteen periods of twenty year use along the claimed route. The remaining evidence suggests use continues throughout that time but is for lesser periods.
25. Neither the legislation nor the applicable case law set out a minimum level of user that is expected or required to support a claim that a route exists. The case law does suggest that the amount of usage should be such that it is enough to bring home to a reasonable landowner that the public are using a way and that use is as if it was a public highway, i.e. "as of right". In this case the majority of the usage is weekly and this would be sufficient to bring it to the attention of the landowner.
26. The remaining part of the s31 test considers whether the landowner has undertaken any action to rebut the statutory presumption of dedication. Often this is evidenced by way of notices or obstructions to prevent people accessing or using the path. In this case there is nothing to suggest any owner has taken such steps; rather the contrary is true, no overt action appears to have been taken prior to the application being made.

Burden and Standard of Proof

27. An application for a modification order based upon evidence of use can be made under either s53(3)(b) or (c). Officers consider that the application falls to be more properly considered under s53(3)(c)(i) and that this should be considered the relevant section for determination purposes.
28. There is a two stage test, one of which must be satisfied before a Modification Order can be made. All the evidence must be evaluated and weighed and a conclusion reached whether on the balance of probabilities either:
 - (a) the alleged right subsists or;
 - (b) is reasonably alleged to subsist.
29. Thus there are two separate tests. For the first test to be satisfied, it will be necessary to show that on the balance of probabilities the right of way does exist.
30. For the second test to be satisfied, the question is whether a reasonable person could reasonably allege a right of way exists having considered all the relevant evidence available to the Council. The evidence necessary to establish a right of way which is "reasonably alleged to subsist" over land must be less than that which is necessary to establish the right of way "does subsist".
31. If a conclusion is reached that either test is satisfied, then the Definitive Map and Statement should be modified.

Summary

32. The application is made under under Section 53(2) of the 1981 Act, relying on the occurrence of the evidential event specified in 53(3)(c)(i) of the Act.
33. The Panel will be aware of the requirements for both the statutory test and common law dedication. The relevant statutory provision, in relation to the dedication of a public right of way, is found in Section 31 of the Highways Act 1980.

34. This requires consideration of whether there has been use of a way by the public, as of right and without interruption, for a period of twenty years prior to its status being brought into question and, if so, whether there is evidence that any landowner demonstrated a lack of intention during this period to dedicate a public right of way.
35. Before a presumption of dedication can be raised under statute, Section 31 of the 1980 Act requires that a way must be shown to have been actually used by the public, as of right and without interruption, and for this use to have continued for a full period of twenty years. In this case, the view taken was that the status of the route was brought into question by the making of the application and that the years of usage are from 1995 to 2015.
36. If one considers the test in the first part of the section, i.e. whether the way subsists and the balance of probabilities, the courts have indicated that this can be satisfied by considering whether it is more probable, or more likely, than not. As Lord Denning in the case of *Miller* said "*If the evidence is such that the tribunal can say 'we think it more probable than not' the burden is discharged, but if the probabilities are equal it is not.*"
37. In this instance your officers consider that the use is sufficient to satisfy the test set out in s31 when considered on the balance of probabilities.
38. With regard to the second part of the relevant section, whether the route can be said to be reasonably alleged to exist, your officers consider that the test would also be satisfied.
39. There is no contrary evidence refuting use or objecting to it. As the judge set out in *ex parte Bagshaw* if it is reasonable to accept one set of evidence and reasonable to reject the other and by doing so the right could be said to exist then the test of reasonable allegation would be satisfied. Here there is only one set of evidence to weigh in the balance and with nothing to offset it can be reasonably alleged that the route subsists.

Conclusion

40. In light of the evidence, as set out above, it is your officers opinion that the evidence shows that a public right of way, with the status of bridleway, which is not shown on the map and statement subsists.
41. It is the opinion of your officers that the County Council ought to make a Modification Order to add the public bridleway which is the subject of this application to the Definitive Map and Statement of Public Rights of Way for the District of Staffordshire Moorlands with a width of three metres.

Recommended Option

42. To accept the application based upon the reasons contained in the report and outlined above.

Other options Available

43. To decide to reject the application and not make an Order to add the route to the Definitive Map and Statement of Public Rights of Way

Legal Implications

44. The legal implications are contained within the report.

Resource and Financial Implications

45. The costs of determining applications are met from existing provisions.
46. There are, however, additional resource and financial implications if decisions of the Registration Authority are challenged by way of appeal to the Secretary of State for Environment, Food and Rural Affairs or a further appeal to the High Court for Judicial Review.

Risk Implications

47. In the event of the Council making an Order any person may object to that order and if such objections are not withdrawn the matter is referred to the Secretary of State for Environment under Schedule 14 of the 1981 Act. The Secretary of State would appoint an Inspector to consider the matter afresh, including any representations or previously unconsidered evidence.
48. The Secretary of State may uphold the Council's decision and confirm the Order; however there is always a risk that an Inspector may decide that the County Council should not have made the Order and decide not to confirm it. If the Secretary of State upholds the Council's decision and confirms the Order it may still be challenged by way of Judicial Review in the High Court.
49. Should the Council decide not to make an Order the applicants may appeal that decision to the Secretary of State who will follow a similar process to that outlined above. After consideration by an Inspector the County Council could be directed to make an Order.
50. If the Panel makes its decision based upon the facts, the applicable law and applies the relevant legal tests the risk of a challenge to any decision being successful, or being made, are lessened. There are no additional risk implications.

Equal Opportunity Implications

51. There are no direct equality implications arising from this report.

J Tradewell

Director of Corporate Services

Report Author: Clare Gledhill

Ext. No:

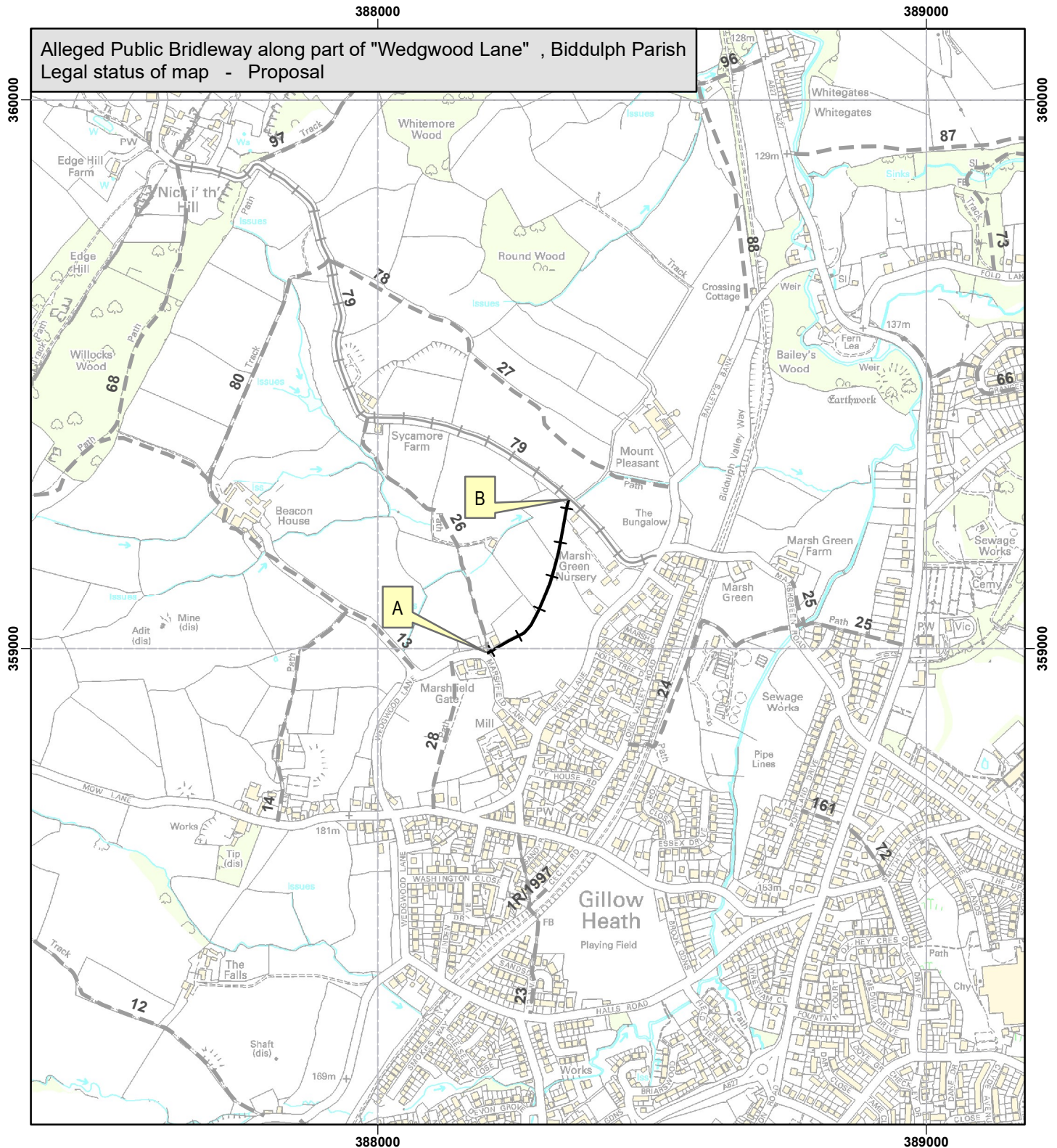
Background File:

11813

INDEX TO APPENDICES

Appendix A	Plan of claimed route
Appendix B	Copy of application
Appendix C	User Evidence Forms
Appendix D	Table of Usage
Appendix E	Copy of Finance Act 1910 plan
Appendix F	Copy of Inclosure Award Plan
Appendix G	OS plan 1889
Appendix H	Landowner response

Wildlife and Countryside Act 1981, Section 53A(2)(b)
 Biddulph Parish, Staffordshire,
 Addition of Bridleway to
 Definitive Map and Statement.



Map created at the scale of 1:10,000
 (facsimiles may vary)

—+—+—+—+— Right of Way to be added (A - B)

Rights of Way Unaffected

- Footpath
- +—+—+— Bridleway

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 Produced by Staffordshire County Council, 30/01/2020.

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM **Important Note**

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms).....JUDITH WHASTON.....
(Block Capitals please)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? APPROX 60
(b) Does the way have a popular name? WEDGEMOOD LANE
(c) Have you personally used the above way? *YES/NO
(d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 1961 To 1999 2015
(f) Where were you going from/to? MOW LANE TO CONGLETON EDGE AND MOW COP
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) SEASONALLY
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK + ON FOOT
(j) Is, or was, the way a short cut for you? YES
(k) If so why? FROM STABLES WHERE THE HORSE WAS KEPT AT VARIOUS TIMES IN, ASTBURY, MOSSLEY +/OR CONGLETON EDGE

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? I WALKED IT LAST WEEKEND ON FOOT
(n) If not why not? —

2. When using the path where did you live? MOSSLEY CONGLETON

If at different places please provide details and years.

3. (a) How wide is the way? 3 TO 4 METRES VARIABLE

(b) Is it the same width throughout its length? — " —

4. If you have ridden a horse on the way

- (a) Where did you keep the horse? ASTBURY, LAMBERTS LANE, CONGLETON EDGE
(b) Where did you start and finish your ride? STABLES AT — " —
(c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO
- (b) If YES, how often and what type of vehicle were they using?
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES/NO
- (d) If YES to (c),
- (i) How often was this?
- (ii) What type of vehicle were you in?
- (iii) For what purpose was it being used?

6. (a) Has the way always been on the same route? *YES/NO
- (b) If NO, please describe the original route, state when the way was diverted and show details on a plan. N/A
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? YES
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? ALWAYS KEPT TO SAME ROUTE

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO
- (b) Have there, to your knowledge, ever been any gates on the way *YES/NO
- (c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom? N/A
- Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO
- (b) If YES, state (i) what type of obstruction was this?
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO

If so by whom or what? N/A

When was this?

Have you continued to use the way despite hindrances or obstructions *YES/NO

How did you do this? (e.g. diversion) N/A

Is the hindrance or obstruction still in existence *YES/NO

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO

If YES, please give dates.

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? *YES/NO

If so, what was their relationship to you? N/A

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) **If so, what were your instructions?**

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO
- (b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO
- (c) If YES to (a) or (b), please give details including dates.
-
-

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO
- (b) If YES, please state:
- (i) Who told you?
- (ii) When you were told?
- (iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO
- (b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO
- (b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO
- (c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?
-

15. (a) Have you ever been given permission to use the way?
(Whether or not you asked for it) *YES/NO
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission? N/A
- (d) When were you given permission? N/A
- (e) For what purpose were you given permission to use the way? N/A

16. (a) Have you seen other people using the way? *YES/NO
- (b) How were they using the way (ie foot, horse)? ON FOOT, HORSEBACK, CYCLES
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? ... COMPANIONS, FAMILY, RIDING STABLES
- (d) If they were not accompanying you, were these people known to you? /
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) ... MOST TIMES WHEN I USED IT
- (f) How many other people, approximately, did you see on these occasions? LOADS!
- (g) Please give any further details of other people's use of the way which you feel may be important BORDER BRIDLEWAYS ASSOCIATION USED IT. LE TREC COMPETITIONS, USED IT, RIDING SCHOOLS FROM WHITEMORE AND HURST VALE USED IT.

17. Have you ever been charged a monetary sum for using the path?
If so, by whom? *YES/NO

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible
..... MAPS
- (c) Would you be willing to make the original document available if necessary? *YES/NO
POSSIBLY

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

20. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

YES / NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

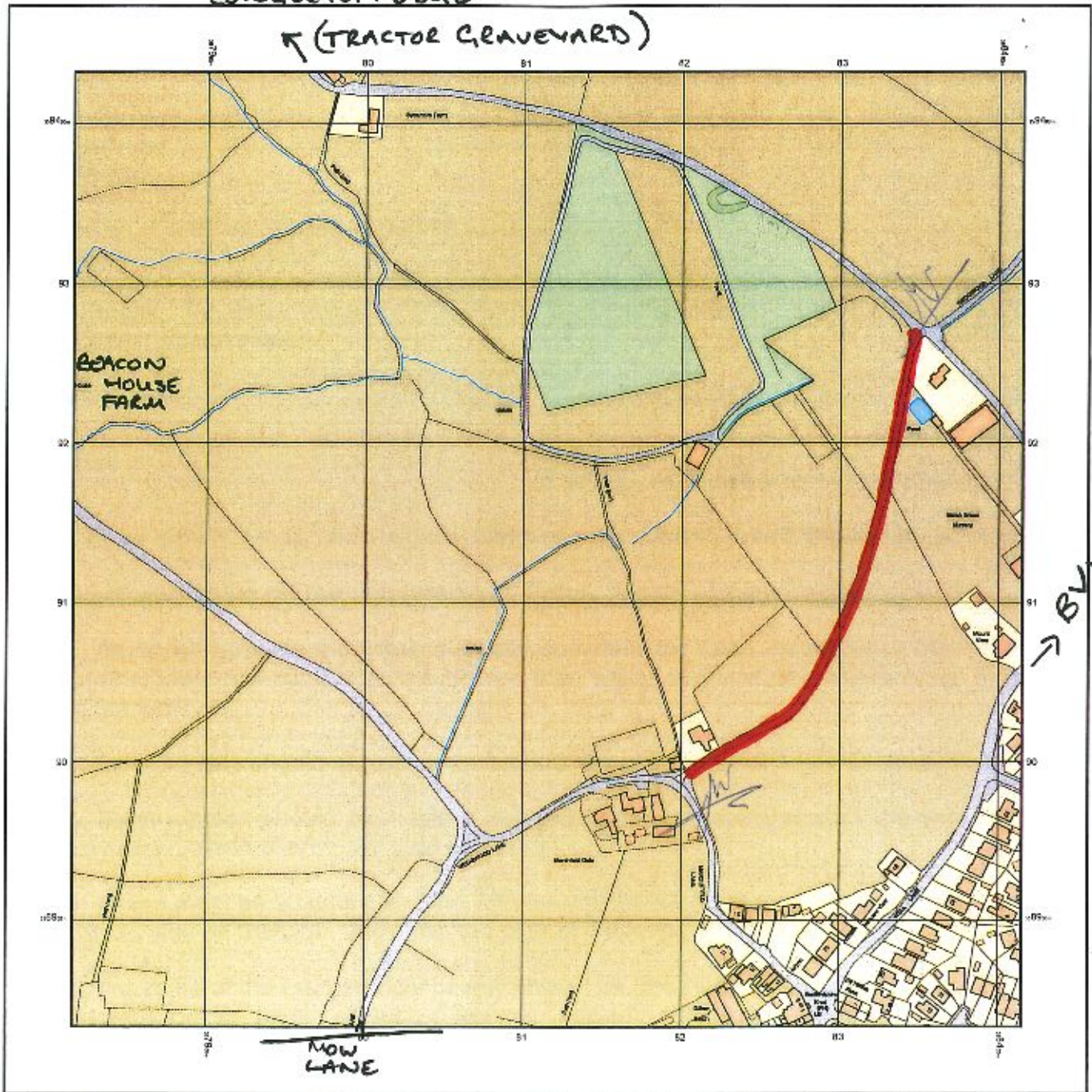
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: *J. White*

Person taking this statement (if applicable) *N/A*

Date: *22ND AUG 2015*

CONGLETON EDGE
↑ (TRACTOR GRAVEYARD)



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Serial No: 76144
Centre Coordinates: 388115, 399133
Production Date: 17/08/2015 15:05:19

THE ROUTE HIGHLIGHTED RED IS THE ROUTE I HAVE USED

SIGNED Judith White Page 91 DATE 22nd August 2015

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms)..... SHEENAGH BOSTOCK.....

(If retired, what was previous occupation?)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 48 years
(b) Does the way have a popular name?
(c) Have you personally used the above way? *YES/NO
(d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 1968 To 2015
(f) Where were you going from/to?
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) WEEKLY
(i) By what means? (eg on foot, horseback, motor vehicle etc) Foot, Horse, cycle
(j) Is, or was, the way a short cut for you? No
(k) If so why?

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? YES
(n) If not why not?

2. When using the path where did you live? Long Valley Rd 1967 - 1975
..... Beacon House Farm 1975 - 2015
If at different places please provide details and years.

3. (a) How wide is the way? 4-5 metres
(b) Is it the same width throughout its length?

4. If you have ridden a horse on the way
(a) Where did you keep the horse? YES
(b) Where did you start and finish your ride? Beacon House
(c) Were you ever riding with the hunt when you used the way? No

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO
- (b) If YES, how often and what type of vehicle were they using? TRACTOR
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES?NO
- (d) If YES to (c),
- (i) How often was this?
- (ii) What type of vehicle were you in?
- (iii) For what purpose was it being used?
-

6. (a) Has the way always been on the same route? *YES/NO
- (b) If NO, please describe the original route, state when the way was diverted and show details on a plan.
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? YES
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? YES
-

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO
- (b) Have there, to your knowledge, ever been any gates on the way *YES/NO
- (c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom?
- Please mark on the attached plan the locations of the locked gates.
-

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO
- (b) If YES, state (i) what type of obstruction was this?
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO
 If so by whom or what?
 When was this?
 Have you continued to use the way despite hindrances or obstructions *YES/NO
 How did you do this? (e.g. diversion)
 Is the hindrance or obstruction still in existence *YES/NO
-

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO

If YES, please give dates.

- (b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If YES, please give dates.

- (c) Was the land ever owned or tenanted by a relative of yours? *YES/NO

If so, what was their relationship to you?

- (d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

- (i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) If so, what were your instructions?

- (g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? ~~YES~~/NO
- (b) Do you know, or have you heard of, anyone else having been prevented from using the way? ~~YES~~/NO

(c) If **YES** to (a) or (b), please give details including dates.

.....

.....

-
12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? ~~YES~~/NO

(b) If **YES**, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

-
13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? ~~YES~~/NO

(b) If **YES**, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? ~~YES~~/NO

-
14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? ~~YES~~/NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? ~~YES~~/NO

(c) If **YES** to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way?
(Whether or not you asked for it) *YES/NO
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?
-

16. (a) Have you seen other people using the way? *YES/NO
- (b) How were they using the way (ie foot, horse)? Foot Horse Bike.....
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? Family.....
- (d) If they were not accompanying you, were these people known to you?
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) Regularly.....
- (f) How many other people, approximately, did you see on these occasions? 2/3
- (g) Please give any further details of other people's use of the way which you feel may be important
-

17. Have you ever been charged a monetary sum for using the path?
If so, by whom? *YES/NO
-

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)
.....
- (c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

20. Would you be prepared to give evidence of your use of the way
at a public inquiry or in a court of law, if necessary?

*YES/NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

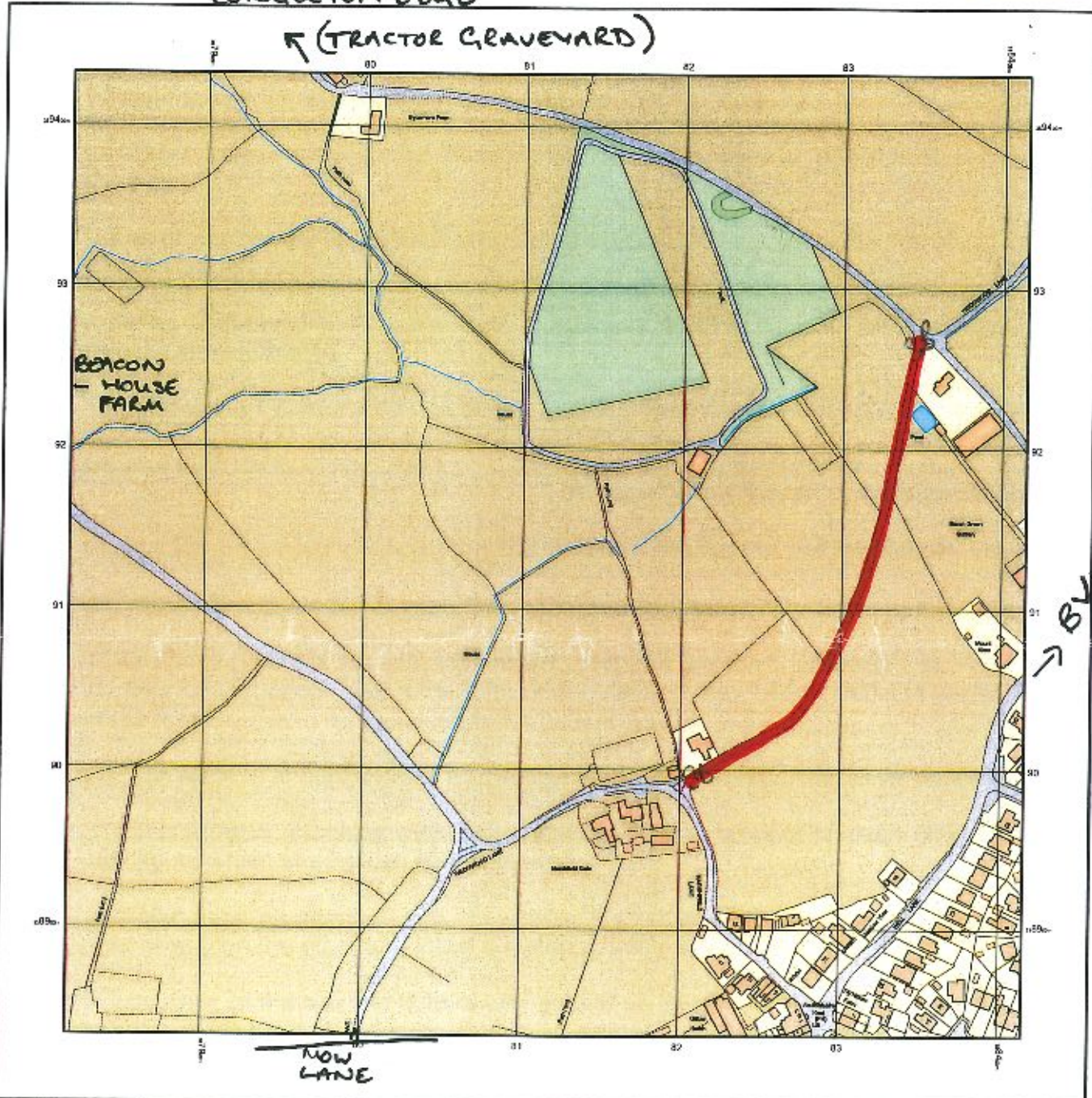
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: B. S. S.

Person taking this statement (if applicable)

Date: 27-8-15

CONCLETON EDGE
← (TRACTOR GRAVEYARD)



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Centre Coordinates: 380115, 309133
Production Date: 17/08/2015 15:05:19

THE ROUTE HIGHLIGHTED RED IS THE ROUTE I HAVE USED

SIGNED [Signature] Page 100 DATE 27-8-15

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms).....ANDREA BOSSON.....
(Block Capitals please)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

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3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

(Public Road)
NOW LANE
SS880587

→ B) WEDGEWOOD LANE
MARSHFIELD LN
SS881589

→ C) BW79
SS883592

Description of claimed way:- (include grid references if known) "WEDGEWOOD LANE"
From MARSHFIELD LANE/WEDGEWOOD LANE JCN (SS881589)
To HILL LANE (PUBLIC BROWWAY 79) (SS883592)

Please take time to answer the questions carefully and in full

- 1. (a) How many years have you known the way? 41 YEARS
- (b) Does the way have a popular name? WEDGEWOOD LANE
- (c) Have you personally used the above way? *YES/NO
- (d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 1974 To 2015 (ONGOING)
- (f) Where were you going from/to? BW79 → NOW LANE & BACK
- (g) For what purpose? (eg work, pleasure) PLEASURE
- (h) How many times a year? (eg daily, weekly, seasonal) VARIES BUT REGULARLY
- (i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK / CYCLE / FOOT
- (j) Is, or was, the way a short cut for you? NO
- (k) If so why? N/A

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? ... YES ... REGULARLY
- (n) If not why not? N/A

2. When using the path where did you live? BURGHAMPTON, NEWBOW, ASHBURY, COMPLETON EDGE
 1974-88 88-93 93 - PRESENT
 If at different places please provide details and years.
 (ON CYCLE & FOOT HORSE) 99 - 2015 ON FOOT HORSE BACK

- 3. (a) How wide is the way? 3-4 metres (if clear)
- (b) Is it the same width throughout its length? MOSTLY

- 4. If you have ridden a horse on the way
 - (a) Where did you keep the horse? COMPLETON EDGE
 - (b) Where did you start and finish your ride? AS ABOVE
 - (c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO

(b) If YES, how often and what type of vehicle were they using? HAVE MET 2 OR 3 MOTORCYCLES IN TOTAL

(c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES/NO

(d) If YES to (c),

(i) How often was this?

(ii) What type of vehicle were you in?

(iii) For what purpose was it being used?

6. (a) Has the way always been on the same route? *YES/NO

(b) If NO, please describe the original route, state when the way was diverted and show details on a plan.

(c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? YES - IT CANNOT BE DEVIATED FROM AS IT IS HEDGED BOTH SIDES WITH MATURE HEDGES & NO EXITS

(d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? IT IS NOT POSSIBLE TO WANDEER OFF ROUTE

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO

(b) Have there, to your knowledge, ever been any gates on the way? *YES/NO

(c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.

(d) If any gates on the way were ever locked please state, how often, and if known, by whom? N/A

Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO

(b) If YES, state (i) what type of obstruction was this?

(ii) When they were erected or removed?

(c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO
 If so by whom or what? ONLY EVER HINDERED BY OVERGROWTH OF VEGETATION
 When was this?
 Have you continued to use the way despite hindrances or obstructions *YES/~~NO~~
 How did you do this? (e.g. diversion) No
 Is the hindrance or obstruction still in existence AT TIMES *YES/NO

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO
 If YES, please give dates.

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO
 If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? *YES/NO
 If so, what was their relationship to you?

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO

(e) If YES to (d),
 (i) What was your employment?
 (ii) Between what years were you employed?

(f) If you were employed by the owner/tenant
 (i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO
 (ii) If so, what were your instructions?

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO
 If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO

(c) If YES to (a) or (b), please give details including dates.

.....
.....

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO

ON THE CONTRARY, THE ADJACENT LANDOWNERS HAVE
(b) If YES, please state: ALWAYS ACKNOWLEDGED ITS PUBLIC

(i) Who told you? STATUS.

(ii) When you were told?

(iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO

PUBLIC FOOTPATH SIGNS ON OTHER SIDE OF BWT9.

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way? *YES/NO
 (Whether or not you asked for it)
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?
-

16. (a) Have you seen other people using the way? *YES/NO
- (b) How were they using the way (ie foot, horse)? FOOT, HORSE, CYCLE & MOTOR CYCLE
- (c) Were they accompanying you? If so, please give details. (ie companions, ✓
 rambling club, family, etc)? UNKNOWN... HORSE RIDERS / WALKERS
* CYCLISTS - REGULARLY.
- (d) If they were not accompanying you, were these people known to you? SOME
- (e) How frequently did you see other people using the way? (ie daily, weekly,
 seasonal etc) IT IS A PATH USED MAINLY BY OTHER
MEMBERS OF THE PUBLIC SO VERY FREQUENTLY.
- (f) How many other people, approximately, did you see on these occasions? LOTS
- (g) Please give any further details of other people's use of the way which you feel
 may be important I HAVE SEEN RIDERS FROM MOW COP
RIDING SCHOOL MANY TIMES AS THIS IS/WAS A
REGULAR ROUTE FOR THEM AND IS USED BY MANY RIDERS.
-

17. Have you ever been charged a monetary sum for using the path? *YES/NO
 If so, by whom?
-

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)
FORMS PART OF DMMO APPLICATION
- (c) Would you be willing to make the original document available
 if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

I HAVE ALWAYS BELIEVED THE ROUTE TO BE WEDGEWOOD LANE. I HAVE HAD MANY DISCUSSIONS AND HEARD STORIES TOLD BY MY NOW DECEASED FATHER IN LAW (MR. L. BOSSEN OF CASTLE FARM) AND OLD MR. BOSTOCK OF BEACON HOUSE FARM ABOUT THE AREA AND THEY BOTH CALLED IT WEDGEWOOD LANE. I KNOW THAT THEY CONSIDERED IT TO BE A ROAD AND ALSO HILL LANE (BUTA) WAS ALSO CONSIDERED TO BE A ROAD TO THE STONE QUARRY AT NICK I'N HILL. WEDGEWOOD LANE TODAY IS A POPULAR ROUTE FOR WALKERS, CYCLISTS & HORSE RIDERS. IT WAS A SHOCK TO FIND IT LACKED PUBLIC STATUS AND I FIRMLY BELIEVE IT TO BE A PUBLIC ROAD. IT IS IMPORTANT NOT TO ALLOW THIS ROUTE TO FALL INTO A TOTAL STATE OF DISREPAIR & TO BE LOST FROM THE PUBLIC ROW NETWORK AS IT IS A PLEASURE TO RIDE OFF ROAD TO ADJOINING ROUTES I.E. THE BIDDULPH VALLEY WAY AND CONQUETON EDGE. WE NEED TO PRESERVE THIS ROUTE FOR FUTURE GENERATIONS AND ITS HISTORICAL IMPORTANCE IS ALSO TO BE CONSIDERED. I THINK THIS IS A ROUTE THAT THE GENERAL POPULATION OF THE LOCALITY WILL NOT WANT TO LOSE! IT IS WELCOMED!

20. Would you be prepared to give evidence of your use of the way
at a public inquiry or in a court of law, if necessary?

"YES/NO"

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

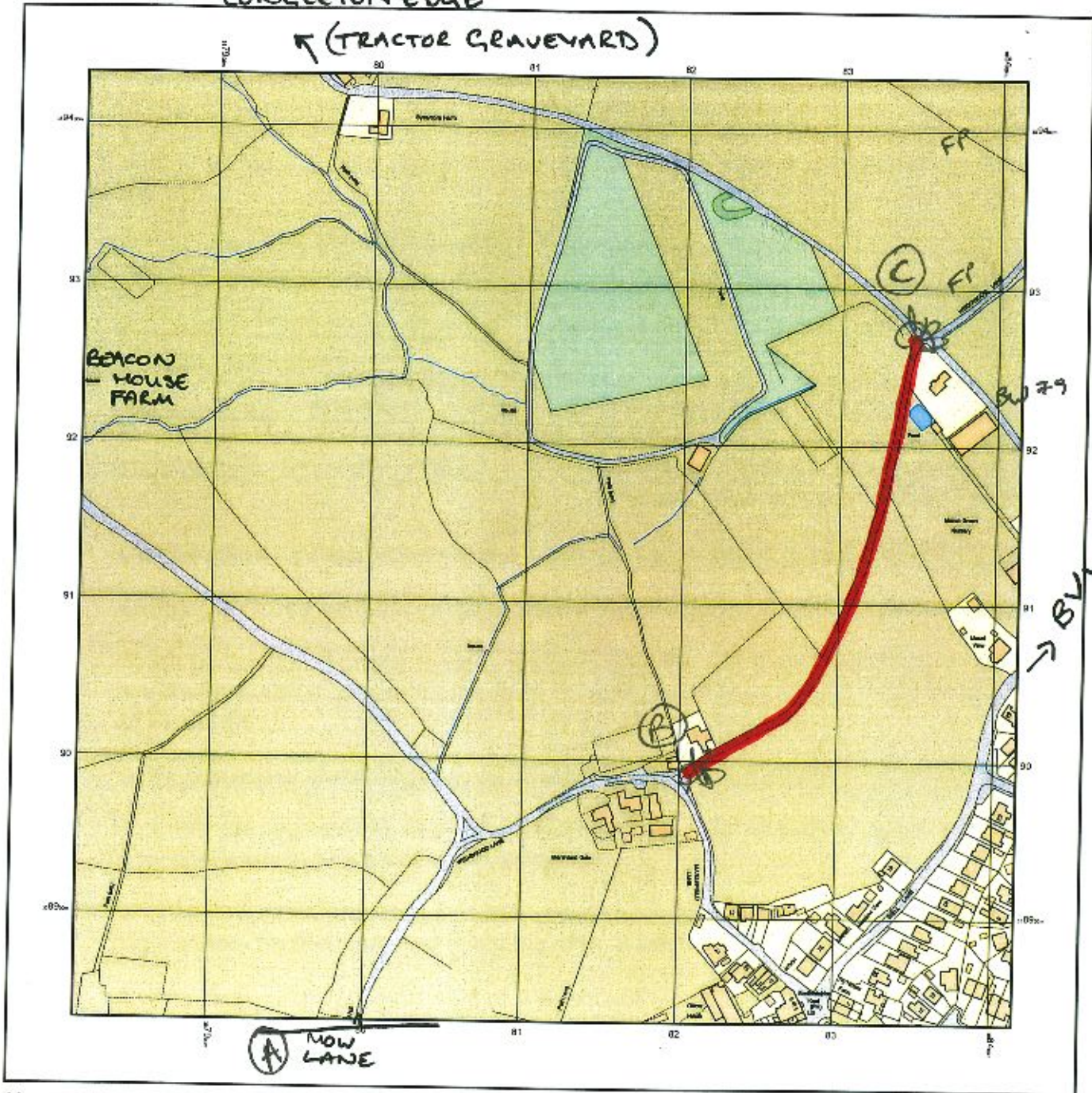
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: *A. Baise*

Person taking this statement (if applicable)

Date: *22/10/15*

CONCLETON EDGE
 (TRACTOR GRAVEYARD)



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THE ROUTE HIGHLIGHTED RED IS THE ROUTE I HAVE USED

SIGNED *A. Lake*

Page 109
 DATE 22/10/15

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

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Name of witness (~~Mr~~/~~Mrs~~/~~Miss~~/~~Ms~~).....SHEILAH SIDDALL.....
(Block Capitals please)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

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2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 40
- (b) Does the way have a popular name? BRIDLE PATH.
- (c) Have you personally used the above way? *YES/NO
- (d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 1975 To ~~2000~~ 2014
- (f) Where were you going from/to? MOW-COP
- (g) For what purpose? (eg work, pleasure) PEN
- (h) How many times a year? (eg daily, weekly, seasonal) WEEKLY - DAILY
- (i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK
- (j) Is, or was, the way a short cut for you? NO. SAFE OF ROAD WAY
- (k) If so why? TO GET TO RAILWAY LINES

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? NO
- (n) If not why not? RETIRED

2. When using the path where did you live? MOW-COP

If at different places please provide details and years.

3. (a) How wide is the way? 8 FT.

(b) Is it the same width throughout its length? YES

4. If you have ridden a horse on the way
(a) Where did you keep the horse? MOW-COP

(b) Where did you start and finish your ride? MOW-COP

(c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO
- (b) If YES, how often and what type of vehicle were they using?
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES/NO
- (d) If YES to (c),
- (i) How often was this?
- (ii) What type of vehicle were you in?
- (iii) For what purpose was it being used?
-

6. (a) Has the way always been on the same route? *YES/NO
- (b) If NO, please describe the original route, state when the way was diverted and show details on a plan.
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? YES.
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? STAY THE ROUTE
-

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO
- (b) Have there, to your knowledge, ever been any gates on the way? *YES/NO
- (c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom?

Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO
- (b) If YES, state (i) what type of obstruction was this?
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO
- If so by whom or what?
- When was this?
- Have you continued to use the way despite hindrances or obstructions *YES/NO
- How did you do this? (e.g. diversion)
- Is the hindrance or obstruction still in existence *YES/NO
-

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO
- If **YES**, please give dates.
- (b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO
- If **YES**, please give dates.
- (c) Was the land ever owned or tenanted by a relative of yours? *YES/NO
- If **so**, what was their relationship to you?
- (d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO
- (e) If **YES to (d)**,
- (i) What was your employment?
- (ii) Between what years were you employed?
- (f) If you were employed by the owner/tenant
- (i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO
- (ii) If **so**, what were your instructions?
- (g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO
- If **so**, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *~~YES~~/NO

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? *~~YES~~/NO

(c) If YES to (a) or (b), please give details including dates.

.....
.....

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *~~YES~~/NO

(b) If YES, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *~~YES~~/NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *~~YES~~/NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *~~YES~~/NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way?
(Whether or not you asked for it) *YES/NO
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?

16. (a) Have you seen other people using the way? *YES/NO
- (b) How were they using the way (ie foot, horse)? *Horse*
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)?
- (d) If they were not accompanying you, were these people known to you? ...*NO*.....
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) *weekly*
- (f) How many other people, approximately, did you see on these occasions? ...*3-5*.....
- (g) Please give any further details of other people's use of the way which you feel may be important
-

17. Have you ever been charged a monetary sum for using the path?
If so, by whom? *YES/NO

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)
.....
- (c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

MY HUSBAND HAS ALSO OFTEN RIDDEN THIS

TRACK, WHEN TAKING WEEKLY PUB RIDES

I HOPE THIS TRACK STAY OPEN TO HORSE
RIDERS IN THE FUTURE. HAS IT KEEPS

ALL RIDERS SAFER THAN USING THE

VERY BUSY AND NARROW LANE.

20. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

*YES/NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

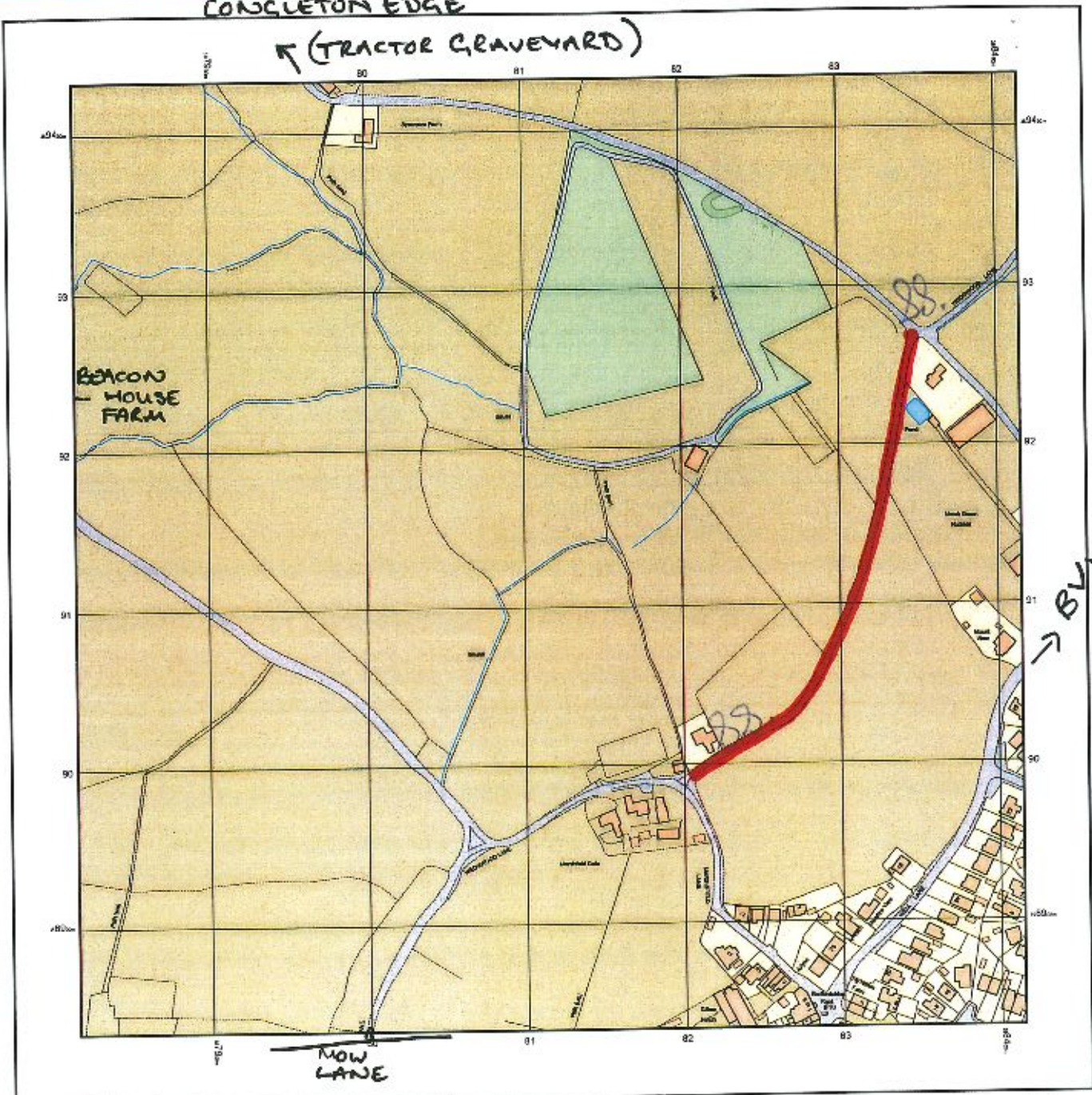
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: *J.S. Sedall*

Person taking this statement (if applicable)

Date: *18-10-15*

CONCLETON EDGE
← (TRACTOR GRAVEYARD)



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SIGNED *[Signature]*
to S. Siddall

Page 118
DATE 19/10/15

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM **Important Note**

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms) Jane Spurgeon
(Block Capitals please)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 40 YES
- (b) Does the way have a popular name?
- (c) Have you personally used the above way? YES/NO
- (d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 1975 To 1995
- (f) Where were you going from/to? from manor to railway line to Congleton
Edal
- (g) For what purpose? (eg work, pleasure) pleasure
- (h) How many times a year? (eg daily, weekly, seasonal)
- (i) By what means? (eg on foot, horseback, motor vehicle etc) horseback
- (j) Is, or was, the way a short cut for you? yes
- (k) If so why? cuts off the busy road

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? no
- (n) If not why not? overgrown

2. When using the path where did you live? manor

If at different places please provide details and years.

3. (a) How wide is the way? 1-2 metres

(b) Is it the same width throughout its length? yes

4. If you have ridden a horse on the way

- (a) Where did you keep the horse? manor
- (b) Where did you start and finish your ride? manor manor
- (c) Were you ever riding with the hunt when you used the way? no

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO

(b) If YES, how often and what type of vehicle were they using?

(c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES/NO

(d) If YES to (c),

(i) How often was this?

(ii) What type of vehicle were you in?

(iii) For what purpose was it being used?

6. (a) Has the way always been on the same route? YES/NO

(b) If NO, please describe the original route, state when the way was diverted and show details on a plan.

(c) Is the way a clearly defined track or path which a stranger to the vicinity could follow?

(d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route?

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO

(b) Have there, to your knowledge, ever been any gates on the way? *YES/NO

(c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.

(d) If any gates on the way were ever locked please state, how often, and if known, by whom?

Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO

(b) If YES, state (i) what type of obstruction was this?

(ii) When they were erected or removed?

(c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO

If so by whom or what?

When was this?

Have you continued to use the way despite hindrances or obstructions *YES/NO

How did you do this? (e.g. diversion)

Is the hindrance or obstruction still in existence *YES/NO

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO

If YES, please give dates.

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? *YES/NO

If so, what was their relationship to you?

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) **If so, what were your instructions?**

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO

(c) If YES to (a) or (b), please give details including dates.

.....
.....

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO

(b) If YES, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way? *YES/NO
 (Whether or not you asked for it)
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) **if YES**, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?
-

16. (a) Have you seen other people using the way? YES/NO
- (b) How were they using the way (ie foot, horse)?horse.....
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)?friends & family.....
- (d) If they were not accompanying you, were these people known to you?
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc)~~in season~~ weekly.....
- (f) How many other people, approximately, did you see on these occasions? 2-3
- (g) Please give any further details of other people's use of the way which you feel may be important
-

17. Have you ever been charged a monetary sum for using the path? *YES/NO
 If so, by whom?
-

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) **if so**, in what form is this? ie maps, photos, etc please attach a copy if possible
-
- (c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

20. Would you be prepared to give evidence of your use of the way
at a public inquiry or in a court of law, if necessary?

YES/NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

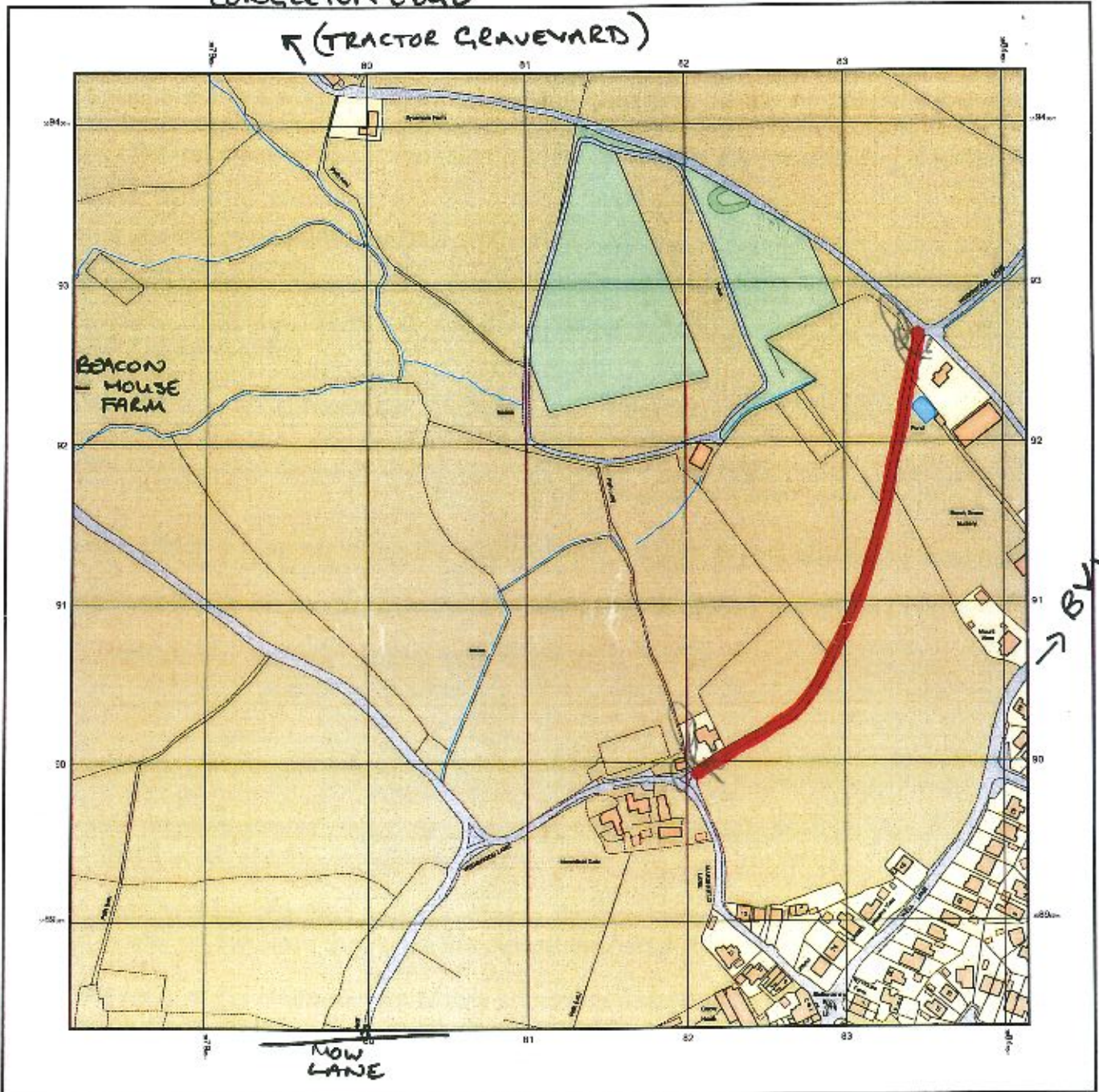
Signature: *J. Amrose*.....

Person taking this statement (if applicable)

Date: *15/10/15*.....

CONGLETON EDGE

← (TRACTOR GRAVEYARD)



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SIGNED *[Signature]* Page 127 DATE 18-10-15

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM **Important Note**

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (~~Mr/Mrs/Miss/Ms~~) Kim Bennett

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)
From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 39
(b) Does the way have a popular name? BRIDLE PATH
(c) Have you personally used the above way? YES/ NO
(d) Did you only use part of the way? ALMOST YES/ NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 1976 To DATE
(f) Where were you going from/to? MOWLEP ACCESS TO 2 BRIDLEWAYS
(g) For what purpose? (eg work, pleasure) PLEASURE MAINLY + 7 YRS
(h) How many times a year? (eg daily, weekly, seasonal) APPROX FOR RIDING CENTRE
(i) By what means? (eg on foot, horseback, motor vehicle etc) ONLY FOR HORSES NOWLED
HOUSE BACK
NO (j) Is, or was, the way a short cut for you? SAFER OFF ROAD ROUTE TO ACCESS
(k) If so why? 2 OTHER BRIDLE PATHS... ELIMINATED HAVING
TO USE A BUSY LANE WHICH WAS OTHER ALTERNATIVE
TO GET TO LINES + TRAZAL GARDEN (BY)
(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.
(m) Do you still use the way? OCCASIONALLY AS HORSE PART
REMOVED
(n) If not why not?

2. When using the path where did you live? MOWLEP + HARRISEATHERD
LIVED IN LONDON FOR FEW YEARS BUT CAME HOME MONTHLY
If at different places please provide details and years.
TO RIDE MY HORSE WHICH STAYED AT RIDING CENTRE WITH
MY FAMILY

3. (a) How wide is the way? APPROX 2m
(b) Is it the same width throughout its length? APPROXIMATELY

4. If you have ridden a horse on the way
(a) Where did you keep the horse? MOWLEP RIDING CENTRE
(b) Where did you start and finish your ride? MOWLEP RIDING CENTRE
(c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way?

~~YES~~/NO

(b) If YES, how often and what type of vehicle were they using?

(c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way?

~~YES~~?NO

(d) If YES to (c),

(i) How often was this?

(ii) What type of vehicle were you in?

(iii) For what purpose was it being used?

6. (a) Has the way always been on the same route?

~~YES~~/NO

(b) If NO, please describe the original route, state when the way was diverted and show details on a plan.

(c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? YES

(d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? YES

7. (a) Have there, to your knowledge, ever been any stiles on the way?

~~YES~~/NO

(b) Have there, to your knowledge, ever been any gates on the way

~~YES~~/NO

(c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.

(d) If any gates on the way were ever locked please state, how often, and if known, by whom?

Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way?

~~YES~~/NO

(b) If YES, state (i) what type of obstruction was this?

(ii) When they were erected or removed?

(c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? ~~YES~~/NO

If so by whom or what?

When was this?

Have you continued to use the way despite hindrances or obstructions *YES/NO N/A

How did you do this? (e.g. diversion)

Is the hindrance or obstruction still in existence *YES/NO N/A

10. (a) Were you ever an owner or tenant of the land crossed by the way? ~~YES~~/NO

If YES, please give dates.

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? ~~YES~~/NO

If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? ~~YES~~/NO

If so, what was their relationship to you?

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? ~~YES~~/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) If so, what were your instructions?

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *~~YES~~/NO

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? *~~YES~~/NO

(c) If YES to (a) or (b), please give details including dates.

.....
.....

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *~~YES~~/NO

(b) If YES, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *~~YES~~/NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *~~YES~~/NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *~~YES~~/NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way? *YES/NO
 (Whether or not you asked for it)
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?

16. (a) Have you seen other people using the way? YES/NO
- (b) How were they using the way (ie foot, horse)? *HORSE RIDERS + DOGS WALKERS*
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? *DAILY LOCAL HORSE OWNERS*
- (d) If they were not accompanying you, were these people known to you? *MOST*
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) *EVERY TIME I USED IT SO SOMETIMES DAILY, SOMETIMES WEEKLY, SOMETIMES MONTHLY*
- (f) How many other people, approximately, did you see on these occasions?
- (g) Please give any further details of other people's use of the way which you feel may be important

17. Have you ever been charged a monetary sum for using the path? *YES/NO
 If so, by whom? 4

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)
-
- (c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

I HAVE RIDDEN THIS TRACK ~~WITH~~ FOR THE LAST 39 YEARS + ALWAYS UNDERSTOOD IT WAS A BRIDLEWAY. IT HAS ALWAYS PROVIDED A SAFE, OFF ROAD WAY TO ACCESS THE OTHER LOCAL BRIDLEWAYS (TRACTOR GRAVEYARD + "THE LINES") AVOIDING THE BUSY LANE. IT IS CRITICAL THAT HORISTS ARE ALLOWED TO CONTINUE USING THIS TRACK OTHERWISE IT IS PUSHING MORE HORSEWOMEN ONTO AN INCREASINGLY BUSY + NARROW LANE.

20. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

YES NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

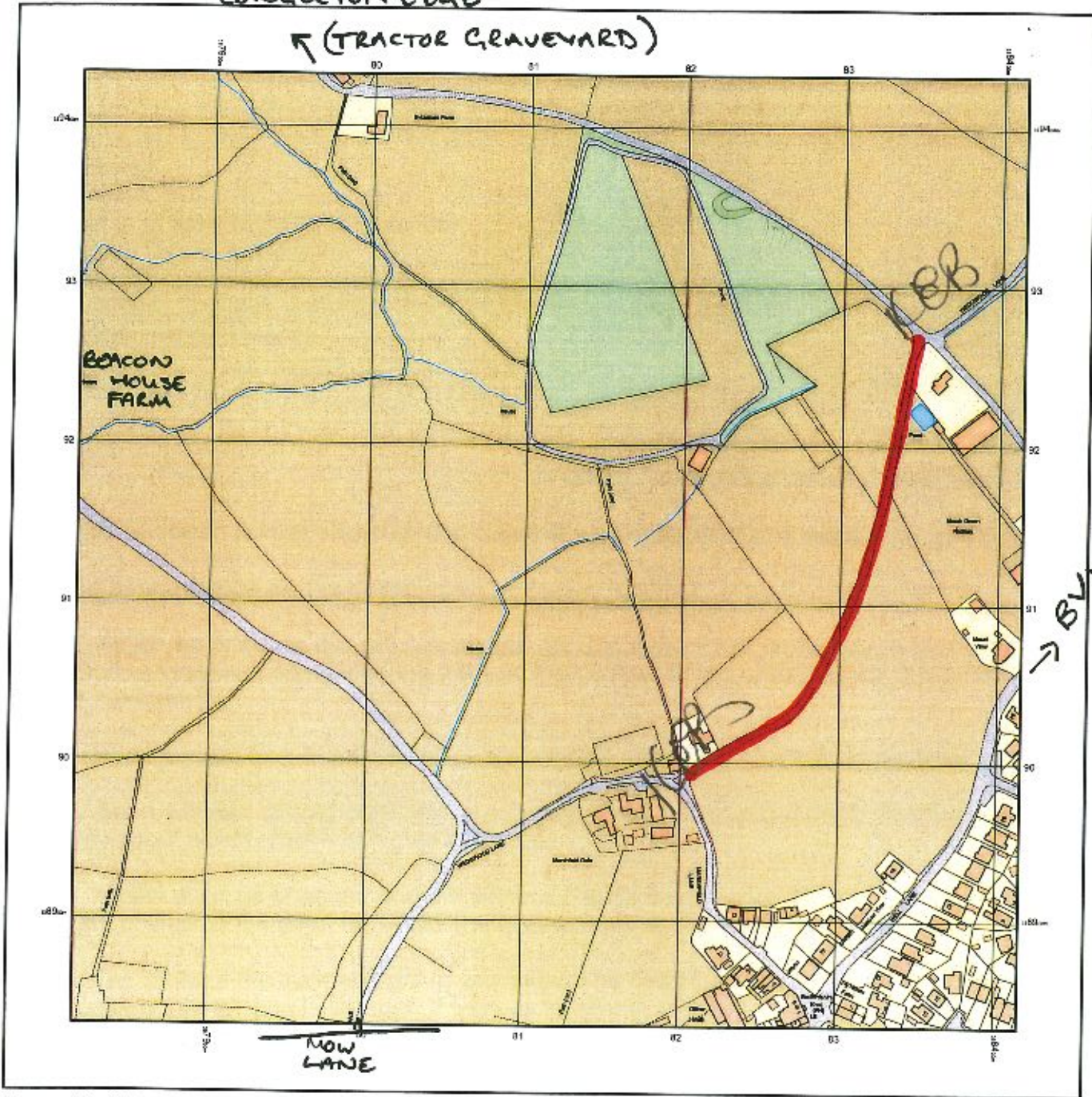
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: K. Bennett

Person taking this statement (if applicable)

Date: 18.10.15

CONGLETON EDGE
← (TRACTOR GRAVEYARD)



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SIGNED *[Signature]* DATE *19/10/14*
PP K Bennett

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM **Important Note**

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms)..... MRS E. M. JOY TOOMER

(If witness, state the previous occupation)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 38 YEARS
(b) Does the way have a popular name? WEDGEWOOD LANE
(c) Have you personally used the above way? *YES/NO
(d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 1977 To 2015
(f) Where were you going from/to? GILLOW HEATH TO MOW LANE
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) 6
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK
(j) Is, or was, the way a short cut for you? YES
(k) If so why? IT CUTS OUT A CHUNK OF NARROW TWENTY ROAD - ALWAYS PREFERABLE ON A HORSE

(l) Please show on the attached plan the route of the way you have used.

If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? YES
(n) If not why not?

2. When using the path where did you live? 20 BOUNDARY LANE, MOSSLEY, COULSTON
If at different places please provide details and years.

3. (a) How wide is the way? MAXIMUM 4 METRES - AT TIMES VERY OVERGROWN
(b) Is it the same width throughout its length? IT SHOULD BE IF HEDGES CUT.

4. If you have ridden a horse on the way
(a) Where did you keep the horse? 20 BOUNDARY LANE - AS ABOVE
(b) Where did you start and finish your ride? MOSSLEY, COULSTON
(c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO
- (b) **If YES**, how often and what type of vehicle were they using?
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES?NO
- (d) **If YES to (c)**,
- (i) How often was this?
- (ii) What type of vehicle were you in?
- (iii) For what purpose was it being used?
-

6. (a) Has the way always been on the same route? *YES/NO
- (b) **If NO**, please describe the original route, state when the way was diverted and show details on a plan.
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? *Y. E. S.*
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? *ALWAYS ONE ROUTE*
-

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO
- (b) Have there, to your knowledge, ever been any gates on the way *YES/NO
- (c) **If YES**, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom?
- Please mark on the attached plan the locations of the locked gates.
-

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO
- (b) **If YES**, state (i) what type of obstruction was this?
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO

If so by whom or what? OVERGROWTH HAS SOMETIMES BEEN A HAZARD

When was this? IN RECENT YEARS UNTIL TRIP BY BAA* AND A LANDOWNER

Have you continued to use the way despite hindrances or obstructions *YES/NO

How did you do this? (e.g. diversion) DASHED THROUGH!

Is the hindrance or obstruction still in existence *YES/NO

*
border
Druid Lingo
Association

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO

If YES, please give dates.

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? *YES/NO

If so, what was their relationship to you?

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) If so, what were your instructions?

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO

(c) If YES to (a) or (b), please give details including dates.

.....
.....

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO

(b) If YES, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way? *YES/NO
 (Whether or not you asked for it)
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?
-

16. (a) Have you seen other people using the way? *YES/NO
- (b) How were they using the way (ie foot, horse)? HORSES - LOT!
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? WAS WITH ME - FAMILY + FRIENDS - AT LEAST GREAT PEOPLE + MET TWO RIDING SCHOOLS WITH HORSES
- (d) If they were not accompanying you, were these people known to you? YES - OFTEN
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) OFTEN - RIDING SCHOOLS - (CLOSED NOW) BUT - OFTEN TO RIDE STILL USE THE ROUTE.
- (f) How many other people, approximately, did you see on these occasions? 10 OR MORE
- (g) Please give any further details of other people's use of the way which you feel may be important THIS IS A LINK FOR LOCAL RIDERS TO GOLFERS - GOLF - GLOW HATH, DIDDULPH VALLEY WAY AND MOSSLEY. IT HAS ALWAYS BEEN A USEFUL TRACK.
-

17. Have you ever been charged a monetary sum for using the path? *YES/NO
 If so, by whom?
-

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)
-
- (c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

I have used this route with no issues other than overgrowth since 1977. I have ridden it with my husband & my 2 children plus a number of friends. At various times we have met other riders. In the past both Hunt Vale & New Cop Riding Schools took large numbers of horses through.

Today at least two pleasure rides a year go through the path that I am aware of, in addition to use by local riders.

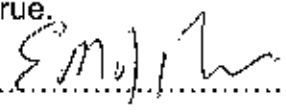
There has never been any problem using the path at any time until it began to get overgrown. I was asked by Border Bridways Association to find out how to get it cleared & this is when we discovered it didn't have a 'title' accordingly. As chairman of BBA I am obviously keen to correct this in the interest & current & future users.

20. Would you be prepared to give evidence of your use of the way
at a public inquiry or in a court of law, if necessary?

*YES/NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

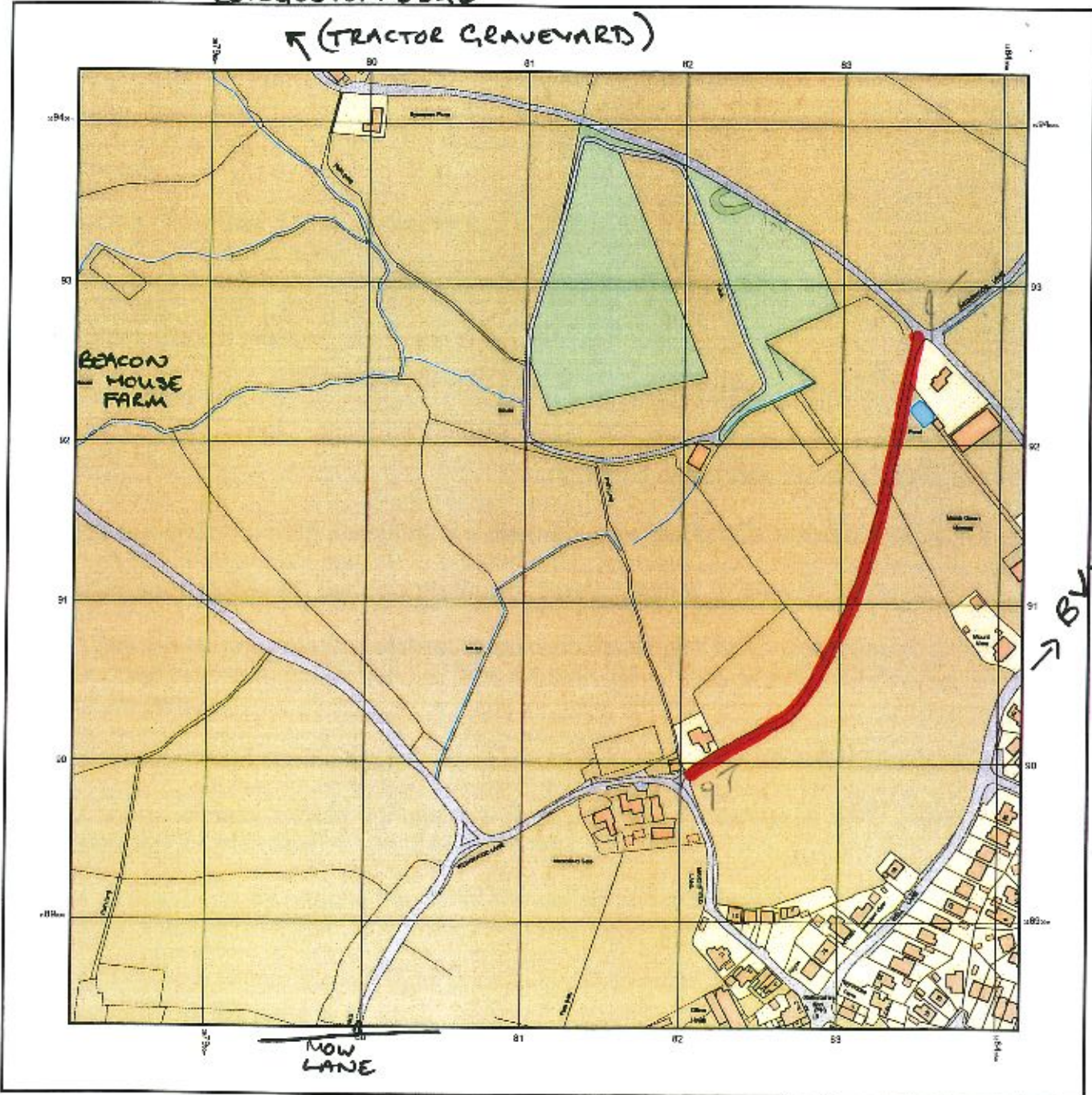
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: 

Person taking this statement (if applicable)

Date: 24/8/15

CONGLETON EDGE
← (TRACTOR GRAVEYARD)



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Centre Coordinates: 388115, 391133
Production Date: 17/05/2015 15:00:19

THE ROUTE HIGHLIGHTED RED IS THE ROUTE I HAVE USED

SIGNED..... *EMG, LW* Page 145
DATE..... *24/8/15*

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms) Michael Duff
(Block Capitals please)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 35 YEARS
(b) Does the way have a popular name? WEDGEMAN LANE BEHIND PARK
(c) Have you personally used the above way? ***YES/NO**
(d) Did you only use part of the way? ***YES/NO**

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 1980 To 2015
(f) Where were you going from/to? WEDGEMAN LANE TO BIDDINGHAM VALLEY WAY OR COMPLETON EDGE
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) WEEKLY
(i) By what means? (eg on foot, horseback, motor vehicle etc) FEET + HORSEBACK
(j) Is, or was, the way a short cut for you? No
(k) If so why? /

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? Yes
(n) If not why not? /

2. When using the path where did you live? BIDDINGHAM + COMPLETON

If at different places please provide details and years.

3. (a) How wide is the way? 7 FEET

(b) Is it the same width throughout its length? Yes

4. If you have ridden a horse on the way

(a) Where did you keep the horse? NEAR COL RIDING CENTRE

(b) Where did you start and finish your ride? CIRCULAR ROUTE NEAR COL + BACK

(c) Were you ever riding with the hunt when you used the way? No

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way?

~~YES~~/NO

(b) If YES, how often and what type of vehicle were they using?

(c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way?

*YES/NO

(d) If YES to (c),

(i) How often was this?

(ii) What type of vehicle were you in?

(iii) For what purpose was it being used?

6. (a) Has the way always been on the same route?

YES/NO

(b) If NO, please describe the original route, state when the way was diverted and show details on a plan.

(c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? YES

(d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? Start to finish

7. (a) Have there, to your knowledge, ever been any stiles on the way?

*YES/NO

(b) Have there, to your knowledge, ever been any gates on the way

*YES/NO

(c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.

(d) If any gates on the way were ever locked please state, how often, and if known, by whom?

Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way?

*YES/NO

(b) If YES, state (i) what type of obstruction was this?

(ii) When they were erected or removed?

(c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO
- If so by whom or what?
- When was this?
- Have you continued to use the way despite hindrances or obstructions *YES/NO
- How did you do this? (e.g. diversion)
- Is the hindrance or obstruction still in existence *YES/NO
-

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO

If YES, please give dates.

- (b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If YES, please give dates.

- (c) Was the land ever owned or tenanted by a relative of yours? *YES/NO

If so, what was their relationship to you?

- (d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) If so, what were your instructions?

- (g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO YES NO
- (b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO YES NO
- (c) If YES to (a) or (b), please give details including dates.
-
-

-
12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO YES NO
- (b) If YES, please state:
- (i) Who told you?
- (ii) When you were told?
- (iii) What were you told?

-
13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO YES NO
- (b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

-
14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO YES NO
- (b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO YES NO
- (c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?
-

15. (a) Have you ever been given permission to use the way?
(Whether or not you asked for it) *YES/NO
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?

16. (a) Have you seen other people using the way? *YES/NO
- (b) How were they using the way (ie foot, horse)? HORSE
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? NO
- (d) If they were not accompanying you, were these people known to you? NO
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) WEEKLY
- (f) How many other people, approximately, did you see on these occasions? 2
- (g) Please give any further details of other people's use of the way which you feel may be important REGULARLY USED BY HORSE RIDERS

17. Have you ever been charged a monetary sum for using the path?
If so, by whom? *YES/NO

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible
.....
- (c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

I HAVE RIDDEN THIS BRIDLE PATH FOR 35 YEARS, LATTERLY WALKING IT WITH MY DOGS. IT IS A SAFE OFF ROAD LINK BETWEEN MAULANE, MARSHFIELD ROAD & WEDGWOOD LANE TO THE BIDDULPH VALLEY WAY OR CONKLETON EDGE.

IN THE CURRENT CLIMATE OF FAST AND MANY INCONSIDERATE VEHICLE DRIVERS, IT IS OF IMPORTANCE TO MAINTAIN FOR PUBLIC USE ALL BRIDLEWAYS FOR THE SAFETY OF ALL.

20. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

YES NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

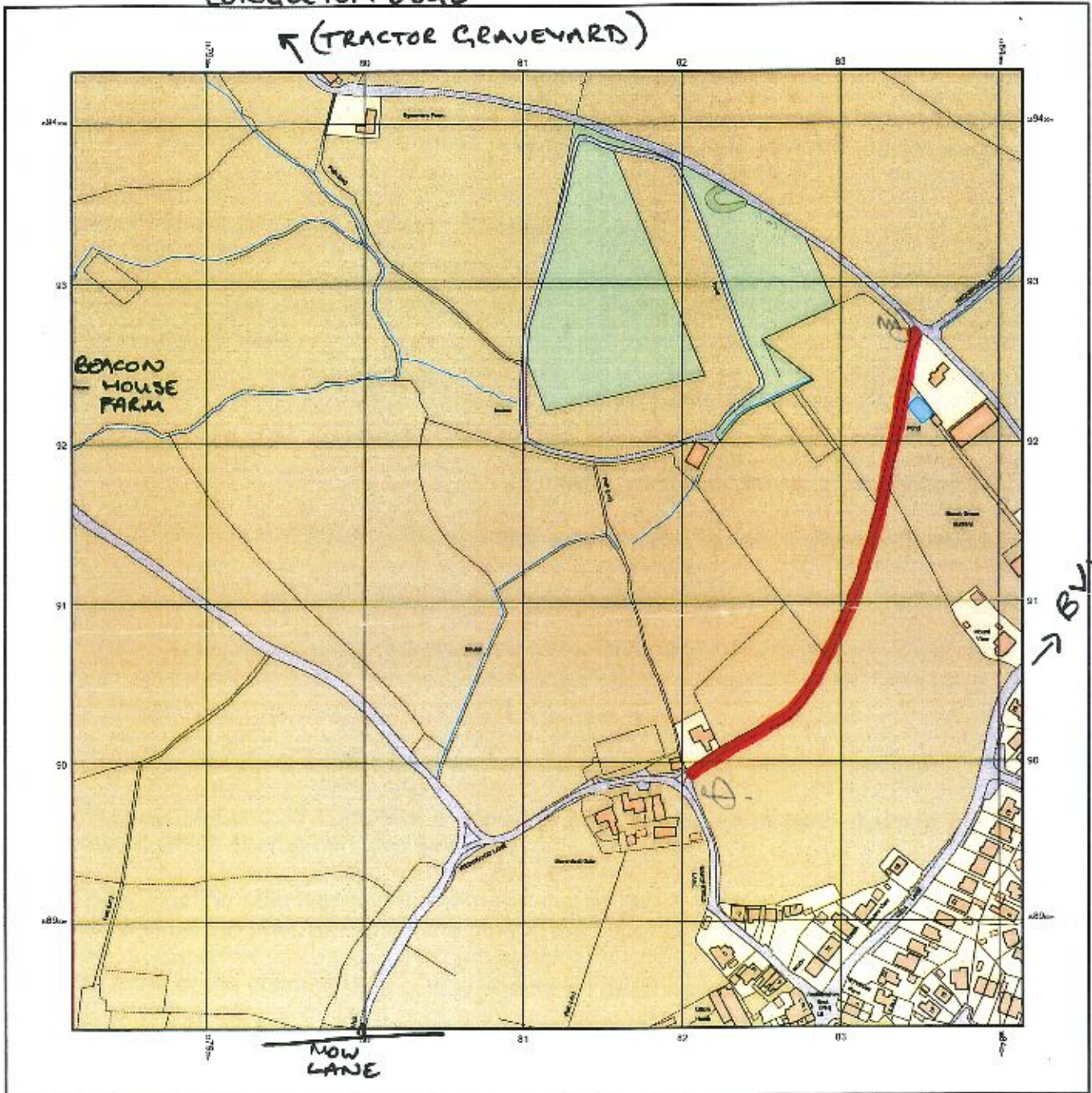
Signature: *[Handwritten Signature]*

Person taking this statement (if applicable)

Date: *17/9/2015*

CONCLETON EDGE

← (TRACTOR GRAVEYARD)



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THE ROUTE HIGHLIGHTED RED IS THE ROUTE I HAVE USED

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms) STACEY MORGAN
(Block Capitals please)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

- 1. (a) How many years have you known the way? 32 YEARS
- (b) Does the way have a popular name? NO WE JUST CALL IT THE DIRT TRACK
- (c) Have you personally used the above way? YES/NO
- (d) Did you only use part of the way? YES/NO

Please do not use vague terms such as "often". APPROX

- (e) During which years have you used the way? From 1989 To 2015 (HIGHLIGHTED IN RED ON THE MAP)
- (f) Where were you going from/to? A FROM MY INITIALS TO MY OTHER INITIALS AVOIDING THE ROAD ON HORSES
- (g) For what purpose? (eg work, pleasure) PLEASURE
- (h) How many times a year? (eg daily, weekly, seasonal) AT LEAST WEEKLY
- (i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK
- (j) Is, or was, the way a short cut for you? YES
- (k) If so why? IT IS A WAY OF AVOIDING THE BUSY WINDY ROADS TO GET TO THE BIDDULPH VALLEY WAY, IT IS SAFER TO GO THAT WAY ESPECIALLY ON HORSEBACK WITH MY 8 YEAR OLD DAUGHTER

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? YES
- (n) If not why not? N/A

2. When using the path where did you live? 3 LONG VALLEY ROAD, GILLOW HEATH SINCE BIRTH TO 2007
9 WHITELY CLOSE MIDDLEWICH 2002 - 2004
9 WOOD TREE AV. SANDHURST GREEN 2004 - 2007
11 NEWGOLD COURT, CANAL GRETTON 2004 - 2007
 If at different places please provide details and years. 51 ALBERT STREET BIDDULPH TO 2007

APPROX 2 METRES IN PARTS.

- 3. (a) How wide is the way? IT USED TO BE WIDER BUT IS NOW VERY OVERGROWN OVER THE YEARS SOMEONE HAS PUT BIG STONES ON THERE AND GLASS TO TRY
 - (b) Is it the same width throughout its length? TO STOP US USING IT
- NO

- 4. If you have ridden a horse on the way
 - (a) Where did you keep the horse? MOW COP RIDING CENTRE
 - (b) Where did you start and finish your ride? STARTED AT MOW COP RIDING CENTRE ENDED AT MOW COP RIDING CENTRE
 - (c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? YES NO

(b) If YES, how often and what type of vehicle were they using? N/A

(c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? YES NO

(d) If YES to (c),

(i) How often was this? N/A

(ii) What type of vehicle were you in? N/A

(iii) For what purpose was it being used? N/A

6. (a) Has the way always been on the same route? YES NO

(b) If NO, please describe the original route, state when the way was diverted and show details on a plan. N/A

(c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? YES (HOWEVER AS STIPED SOMEONE HAS PUT STONES THERE AND GRASS AND MADE THE PATH UNEVEN AND IT HAS BEEN ALLOWED TO OVERGROW)

(d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? ALWAYS KEPT TO THE ROUTE

7. (a) Have there, to your knowledge, ever been any stiles on the way? YES NO

(b) Have there, to your knowledge, ever been any gates on the way? YES NO

(c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.

(d) If any gates on the way were ever locked please state, how often, and if known, by whom? N/A

Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? YES NO

(b) If YES, state (i) what type of obstruction was this? ROCKS BEEN PLACED THERE, GRASS BEEN PLACED THERE AND IT HAS BEEN ALL OVER GROWN AND UNEVEN

(ii) When they were erected or removed? NEVER BEEN REMOVED OVER THE YEARS THE GRASS HAS SLOWLY GONE

(c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

AND THE STONES MOVED FROM THE MIDDLE OF THE PATH BUT NOT REMOVED COMPLETELY

9. Has your usage ever been hindered or prevented in any way? YES NO
 If so by whom or what? SEE PREVIOUS QUESTION
 When was this? VARIOUS TIMES OVER THE PAST 12¹/₂ YEARS
 Have you continued to use the way despite hindrances or obstructions? YES NO
 How did you do this? (e.g. diversion) HORSE PITS HIS FEET IN DIFFERENT PLACES
 Is the hindrance or obstruction still in existence? YES NO
NOT GLASS SO MUCH, STONES STILL THERE AND STILL OVERGROWN AND UNEVEN.

10. (a) Were you ever an owner or tenant of the land crossed by the way? YES NO
 If YES, please give dates. N/A

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? N/A YES NO
 If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? YES NO
 If so, what was their relationship to you? N/A

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? YES NO
 (e) If YES to (d),

(i) What was your employment? N/A
 (ii) Between what years were you employed? N/A

(f) If you were employed by the owner/tenant
 (i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? YES NO
 (ii) If so, what were your instructions? N/A

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? YES NO
 If so, what was their relationship to you? N/A

11. (a) Have you ever been stopped or turned back when using the way? ~~YES~~ NO

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? ~~YES~~ NO

(c) If YES to (a) or (b), please give details including dates.

BUT OTHERS AGREE THE PATH HAS BEEN
MADE INTENTIONALLY DANGEROUS TO PREVENT
ITS USE

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? ~~YES~~ NO

(b) If YES, please state:

(i) Who told you? N/A

(ii) When you were told? N/A

(iii) What were you told? N/A

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? ~~YES~~ NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? ~~YES~~ NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? CANNOT REMEMBER
~~YES~~ NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? CANNOT REMEMBER
~~YES~~ NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan? N/A

15. (a) Have you ever been given permission to use the way? ~~YES~~ NO
 (Whether or not you asked for it) IT'S NOT PRIVATE, IT'S PUBLIC
- (b) Have you ever asked permission to use the way? ~~YES~~ NO
- (c) If YES, who gave you permission? N/A
- (d) When were you given permission? N/A
- (e) For what purpose were you given permission to use the way? N/A

16. (a) Have you seen other people using the way? YES NO
- (b) How were they using the way (ie foot, horse)? ON FOOT, ON HORSEBACK AND LEADING DOGS/HORSES
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? SOMETIMES - RIDING COMPANIONS
- (d) If they were not accompanying you, were these people known to you? SOME WERE STRANGERS WERE
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) NOT OFTEN, LESS AND LESS OVER THE YEARS
- (f) How many other people, approximately, did you see on these occasions? 1/2
- (g) Please give any further details of other people's use of the way which you feel may be important

17. Have you ever been charged a monetary sum for using the path? ~~YES~~ NO
 If so, by whom?

18. (a) Do you have any documentary evidence about the way? ~~YES~~ NO
BUT I CAN TAKE PHOTOS
- (b) If so, in what form is this? (ie maps, photos, etc please attach a copy if possible)
 N/A
- (c) Would you be willing to make the original document available if necessary? ~~YES~~ NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

I GREW UP IN GILLOW HEATH, MYSELF AND MY FAMILY USED TO WALK OUR DOGS THERE. I HAVE RODE HORSES ALONG THAT PATH SINCE I WAS A SMALL CHILD, I NOW RIDE ALONG THE PATH (STILL) BUT ALSO WALK WHILST MY DAUGHTER RIDES THE HORSES. OVER THE YEARS IT HAS BEEN OBVIOUS THAT SOMEONE WANTS THE PATH CLOSED DUE TO BROKEN STONES AND GLASS BEING PUT ON IT ONE WEEK THEY WERE NOT THERE THE NEXT THEY WERE. THESE WERE FIRST PUT DOWN AT THE GARDEN CENTRE END AND HAVE OVER TIME BEEN SPREAD THROUGHOUT THE ENTIRE PATH. THE PATH NEEDS ATTENTION AND MAKING SAFER - I.E STONES ETC REMOVED WEEDS AND BRAMBLES CHOPPED BACK AND THE FLOOR LEVELLING.

20. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

YES NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

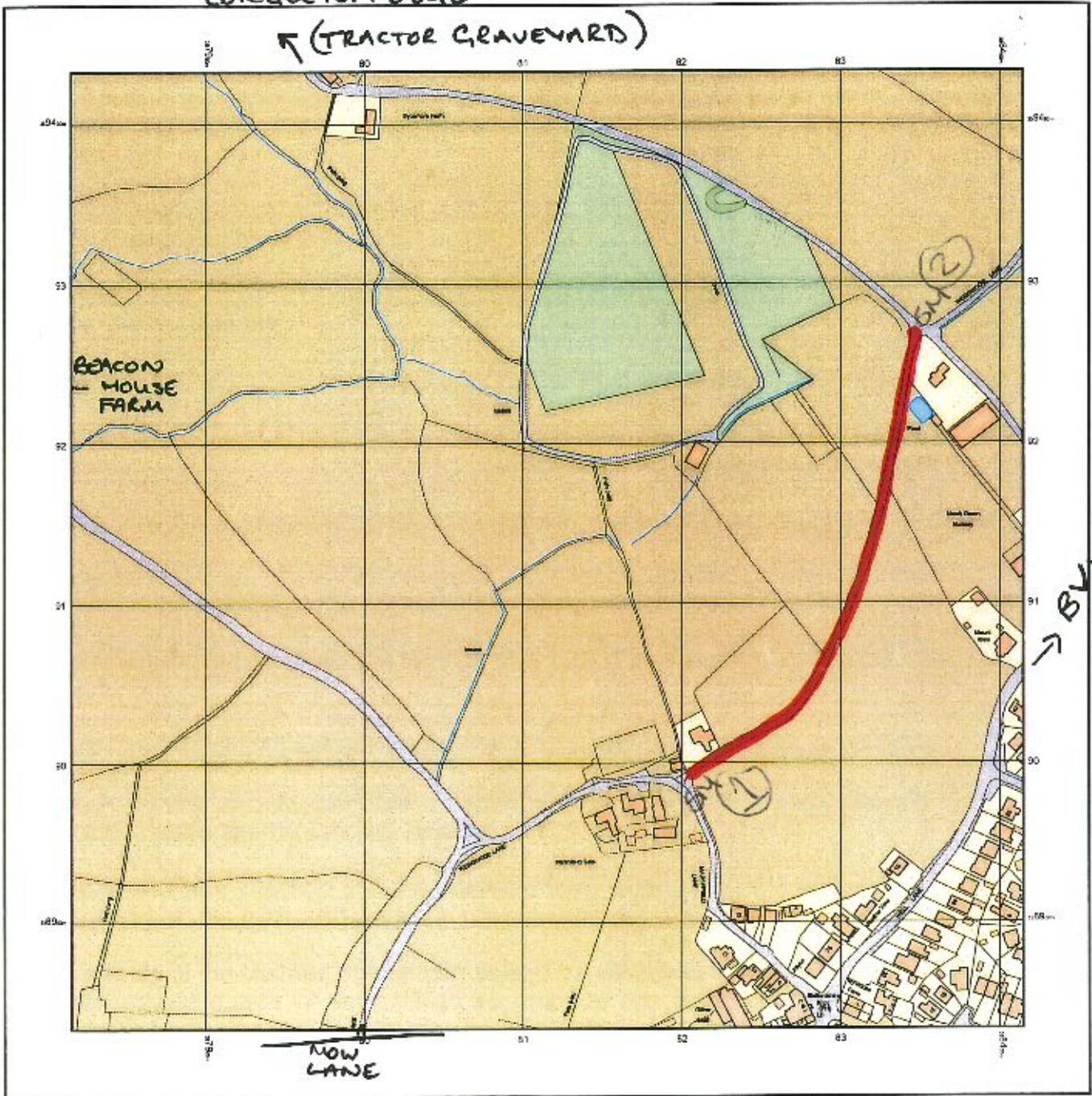
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: 

Person taking this statement (if applicable)

Date: 17/10/2015

CONCLETON EDGE
↑ (TRACTOR GRAVEYARD)



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THE ROUTE HIGHLIGHTED RED IS THE ROUTE I HAVE USED

SIGNED SM DATE 17th October 2015
Stacey Morgan

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Ms/Ms).....PATRICIA AMES.....
(Block Capitals please)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From Well Lane (known as Wedgewood Lane)
To BW 79. Biddulph

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? Since 1983
(b) Does the way have a popular name? Wedgewood Lane
(c) Have you personally used the above way? *YES/NO
(d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 1983 To 2004
(f) Where were you going from/to? Hulme Watfield & back again
(g) For what purpose? (eg work, pleasure) Pleasure / training
(h) How many times a year? (eg daily, weekly, seasonal) intermittantly
(i) By what means? (eg on foot, horseback, motor vehicle etc) Horseback
(j) Is, or was, the way a short cut for you? No
(k) If so why? As an Endurance rider, my horse needed to be very fit & used to covering long distances in a reasonable time.

(l) **Please show on the attached plan the route of the way you have used.**
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? No
(n) If not why not? Horse died & I'm now too old to compete

2. When using the path where did you live? Hulme Watfield

If at different places please provide details and years.

3. (a) How wide is the way? Approx 1 1/2 metres

(b) Is it the same width throughout its length? more or less

4. If you have ridden a horse on the way
(a) Where did you keep the horse? at home - Hulme Watfield

(b) Where did you start and finish your ride? as above

(c) Were you ever riding with the hunt when you used the way? No

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO

(b) If YES, how often and what type of vehicle were they using? *N/A*

(c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES?NO

(d) If YES to (c),

(i) How often was this?

(ii) What type of vehicle were you in?

(iii) For what purpose was it being used?

6. (a) Has the way always been on the same route? *YES/NO

(b) If NO, please describe the original route, state when the way was diverted and show details on a plan. *N/A*

(c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? *yes*

(d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? *yes*

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO

(b) Have there, to your knowledge, ever been any gates on the way *YES/NO

(c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.

(d) If any gates on the way were ever locked please state, how often, and if known, by whom?

Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO

(b) If YES, state (i) what type of obstruction was this?

(ii) When they were erected or removed?

(c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? ~~YES~~/NO
- If so by whom or what?
- When was this?
- Have you continued to use the way despite hindrances or obstructions *YES/NO
- How did you do this? (e.g. diversion)
- Is the hindrance or obstruction still in existence ~~YES~~/NO
-

10. (a) Were you ever an owner or tenant of the land crossed by the way? ~~YES~~/NO

If **YES**, please give dates.

- (b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If **YES**, please give dates.

- (c) Was the land ever owned or tenanted by a relative of yours? ~~YES~~/NO

If **so**, what was their relationship to you?

- (d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? ~~YES~~/NO

(e) If **YES** to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) If **so**, what were your instructions?

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If **so**, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *~~YES~~/NO
- (b) Do you know, or have you heard of, anyone else having been prevented from using the way? *~~YES~~/NO
- (c) If YES to (a) or (b), please give details including dates.
-
-

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *~~YES~~/NO
- (b) If YES, please state:
- (i) Who told you?
- (ii) When you were told?
- (iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *~~YES~~/NO
- (b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *~~YES~~/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *~~YES~~/NO
- (b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *~~YES~~/NO
- (c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?
-

15. (a) Have you ever been given permission to use the way? *YES/NO
 (Whether or not you asked for it)
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?

16. (a) Have you seen other people using the way? *Occasionally* *YES/NO
- (b) How were they using the way (ie foot, horse)? *Horse / bike*
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? *NO*
- (d) If they were not accompanying you, were these people known to you? *Some time*
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) *not occasion*
- (f) How many other people, approximately, did you see on these occasions? *1*
- (g) Please give any further details of other people's use of the way which you feel may be important *I believe it has been used regularly by riders from Mow Cop Reddy School*

17. Have you ever been charged a monetary sum for using the path? *YES/NO
 If so, by whom?

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)
 *possibly some old maps*
- (c) Would you be willing to make the original document available if necessary? *YES/NO
All available from Biddulph Library

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

Use to be an old road leading to a
long gone mine.

Rest of road now a public footpath

20. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

*YES/~~NO~~

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

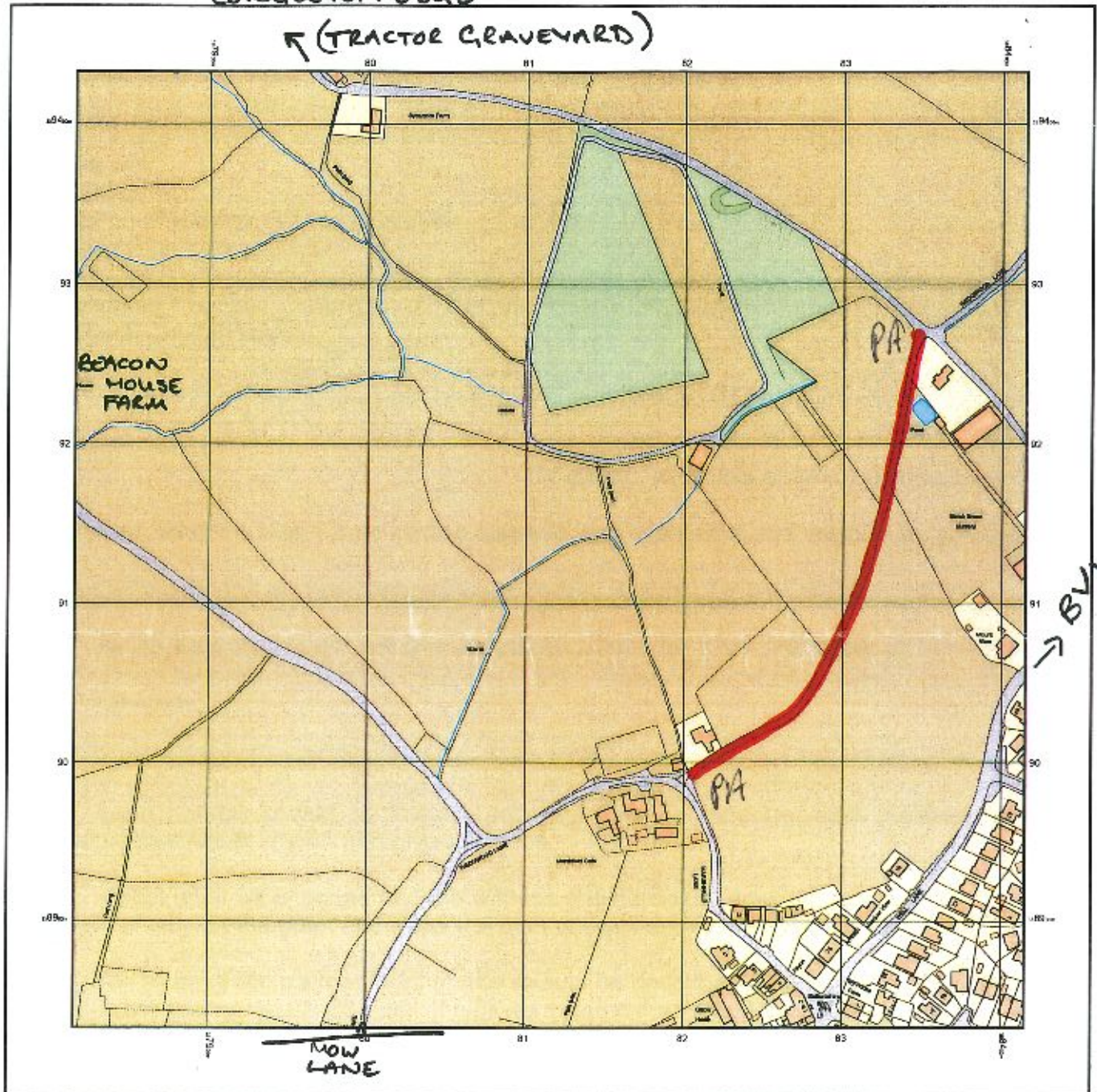
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: *P. Amis*

Person taking this statement (if applicable)

Date: *16/9/2015*

CONGLETON EDGE
← (TRACTOR GRAVEYARD)



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THE ROUTE HIGHLIGHTED RED IS THE ROUTE I HAVE USED

SIGNED..... *P. Jones* DATE..... *16/9/2015*

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM **Important Note**

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms) CATHERINE CROMARTY

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)
From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 33 YEARS
(b) Does the way have a popular name? WEDGEWOOD LANE!
(c) Have you personally used the above way? YES/NO
(d) Did you only use part of the way? YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 1982 To JUNE 2006
(f) Where were you going from/to? ASTBURY → ASTBURY
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) 52+ ie WEEKLY
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK
(j) Is, or was, the way a short cut for you? YES
(k) If so why? TO AVOID CARS ON THE MAIN LANES!
EASIEST WAY TO TRACK 79, ALSO TO BVT

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? NO
(n) If not why not? MOVED TO WALES IN 2006

2. When using the path where did you live? ASTBURY, CONGLETON

If at different places please provide details and years.

3. (a) How wide is the way? WHEN USED ABOUT 4m

(b) Is it the same width throughout its length? SLIGHTLY DIFFERENT
IN PLACES DUE TO HEDGES, OR TRACK RUTS

4. If you have ridden a horse on the way
(a) Where did you keep the horse? ASTBURY VILLAGE, THEN WATERBY
LANE, ASTBURY
(b) Where did you start and finish your ride? AS ABOVE
(c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO
- (b) If YES, how often and what type of vehicle were they using? NOT OFTEN
VEHICLES, TRACTOR TYPE, HEDGING.
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES/NO
- (d) If YES to (c),
- (i) How often was this?
- (ii) What type of vehicle were you in?
- (iii) For what purpose was it being used?

6. (a) Has the way always been on the same route? *YES/NO
- (b) If NO, please describe the original route, state when the way was diverted and show details on a plan.
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? YES
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? YES KEPT TO ROAD/TRACK

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO
- (b) Have there, to your knowledge, ever been any gates on the way? *YES/NO
- (c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom?

Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO
- (b) If YES, state (i) what type of obstruction was this?
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO

If so by whom or what?

When was this?

Have you continued to use the way despite hindrances or obstructions *YES/NO

How did you do this? (e.g. diversion)

Is the hindrance or obstruction still in existence *YES/NO

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO

If YES, please give dates.

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? *YES/NO

If so, what was their relationship to you?

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) If so, what were your instructions?

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO
- (b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO
- (c) If YES to (a) or (b), please give details including dates.
-
-

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO
- (b) If YES, please state:
- (i) Who told you?
- (ii) When you were told?
- (iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO
- (b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO
- (b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO
- (c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?
-

15. (a) Have you ever been given permission to use the way?
(Whether or not you asked for it) *YES/NO
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?

16. (a) Have you seen other people using the way? *YES/NO
- (b) How were they using the way (ie foot, horse)? HORSE, FOOT, CYCLE, TRACTOR!
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? COMPANIONS, FRIENDS, ALONE
SOME YES
- (d) If they were not accompanying you, were these people known to you? SOME NO
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) MOST TIMES WHEN I USED THE ROAD/TRACK I SAW SOMEONE ELSE
- (f) How many other people, approximately, did you see on these occasions? 1-20
- (g) Please give any further details of other people's use of the way which you feel may be important MOW COP RIDING CENTRE OFTEN USED THIS TRACK, WIDE ENOUGH FOR EVERYONE TO PASS SAFELY

17. Have you ever been charged a monetary sum for using the path?
If so, by whom? *YES/NO

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? (ie maps, photos, etc please attach a copy if possible)
.....
- (c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

I cannot believe that there is any question regarding the route at all.

As stated on the form Wedgwood Lane has always to my knowledge been used, by all users without any form of being prevented passage.

I always believed it to be a council road, albeit not well maintained by them!

I will gladly come over to Staffordshire from Wales to give evidence to a Court or Public enquiry, should this case ever reach that milestone.

Cath Cromarty

20. Would you be prepared to give evidence of your use of the way
at a public inquiry or in a court of law, if necessary?

YES NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

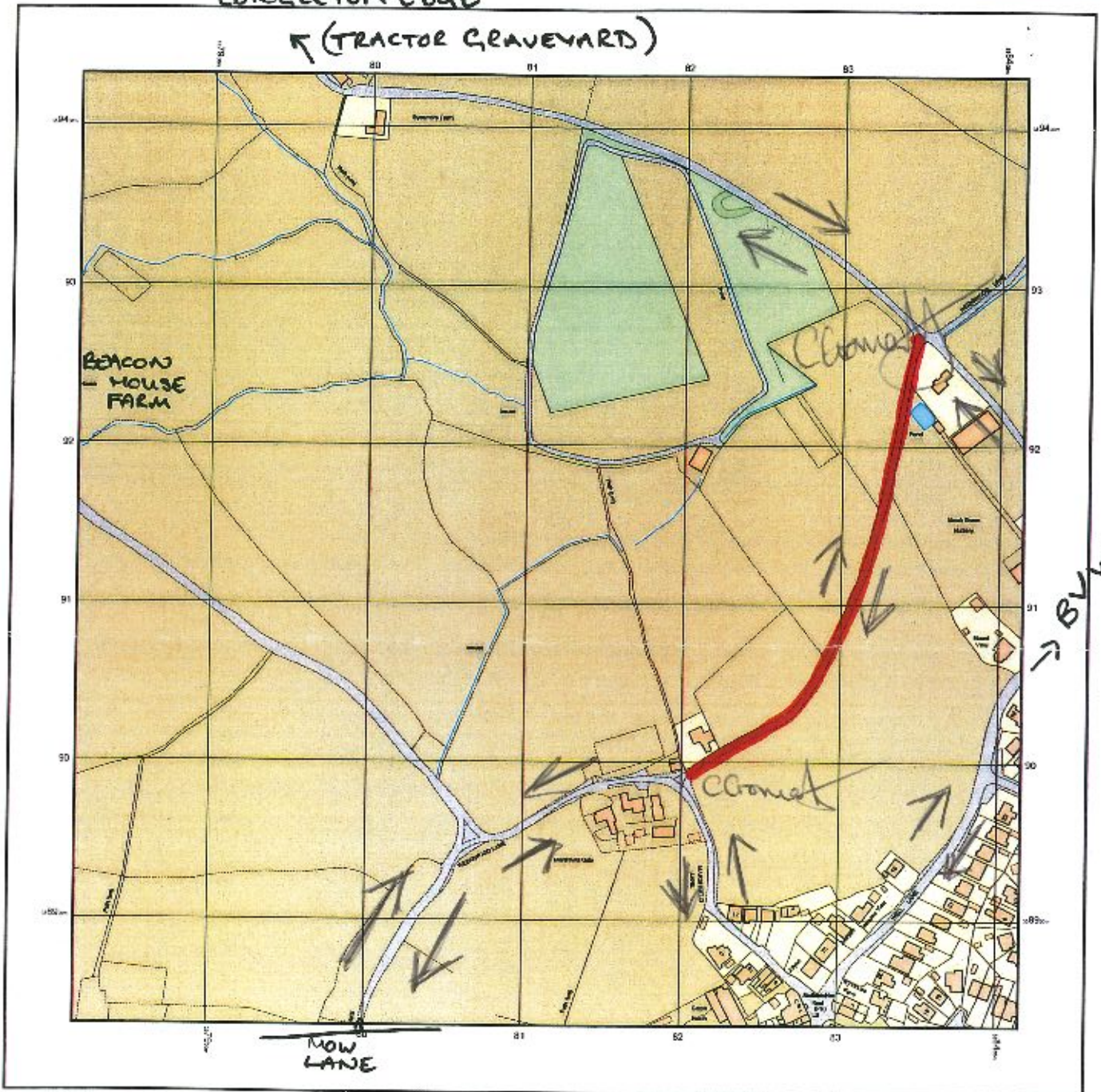
Signature: C. Connelley

Person taking this statement (if applicable)

Date: 29th August 2015

CONCLETON EDGE

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→ Directions I have ridden in the area,

THE ROUTE HIGHLIGHTED RED IS THE ROUTE I HAVE USED

SIGNED.....

C. Gornet

Page 181

DATE.....

29th August 2015

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM **Important Note**

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms)..... DEBORAH GARNSEY.....

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 28 years
(b) Does the way have a popular name? Hedgwood Lane
(c) Have you personally used the above way? *YES/NO
(d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 1986 To 2009
(f) Where were you going from/to? Mossley and Congleton Edge RD to BV Way
at home
(g) For what purpose? (eg work, pleasure) Pleasure
(h) How many times a year? (eg daily, weekly, seasonal) Seasonal - weekly, a business
(i) By what means? (eg on foot, horseback, motor vehicle etc) Horse back
(j) Is, or was, the way a short cut for you? None - an alternative route
(k) If so why? Off road so no vehicles - a pleasant
way to join the B.V. Way

(l) **Please show on the attached plan the route of the way you have used.**
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? No
(n) If not why not? I no longer ride horses.

2. When using the path where did you live? Crossfields, Crossfields Lane
Mossley Congleton
If at different places please provide details and years.

3. (a) How wide is the way? Approximately 2-3 metres
(b) Is it the same width throughout its length? As far as I recall

4. If you have ridden a horse on the way
(a) Where did you keep the horse? At home (as above)
(b) Where did you start and finish your ride? Home - home
(c) Were you ever riding with the hunt when you used the way? No

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO
- (b) If YES, how often and what type of vehicle were they using?
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES?NO
- (d) If YES to (c),
- (i) How often was this?
- (ii) What type of vehicle were you in?
- (iii) For what purpose was it being used?

6. (a) Has the way always been on the same route? *YES/NO
- (b) If NO, please describe the original route, state when the way was diverted and show details on a plan.
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? *clearly defined*
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? *kept to the route*

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO
- (b) Have there, to your knowledge, ever been any gates on the way *YES/NO
- (c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom?
- Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO
- (b) If YES, state (i) what type of obstruction was this?
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? ~~YES~~/NO
- If so by whom or what?
- When was this?
- Have you continued to use the way despite hindrances or obstructions *YES/~~NO~~
- How did you do this? (e.g. diversion)
- Is the hindrance or obstruction still in existence _____ *YES/NO
-

10. (a) Were you ever an owner or tenant of the land crossed by the way? ~~YES~~/NO

If YES, please give dates.

- (b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO _____

If YES, please give dates.

- (c) Was the land ever owned or tenanted by a relative of yours? ~~YES~~/NO _____

If so, what was their relationship to you?

- (d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? ~~YES~~/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/~~NO~~

(ii) **If so**, what were your instructions?

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/~~NO~~

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *~~YES~~/NO
- (b) Do you know, or have you heard of, anyone else having been prevented from using the way? *~~YES~~/NO
- (c) If YES to (a) or (b), please give details including dates.

.....

.....

-
12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *~~YES~~/NO
- (b) If YES, please state:

- (i) Who told you? —
- (ii) When you were told? —
- (iii) What were you told? —

-
13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *~~YES~~/NO

- (b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *~~YES~~/NO

-
14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *~~YES~~/NO

- (b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *~~YES~~/NO

- (c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan? —
-

15. (a) Have you ever been given permission to use the way?
(Whether or not you asked for it) *YES/NO
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission? —
- (d) When were you given permission? —
- (e) For what purpose were you given permission to use the way? —
-

16. (a) Have you seen other people using the way? *YES/NO
- (b) How were they using the way (ie foot, horse)? *Both*
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? *companions on horseback*
- (d) If they were not accompanying you, were these people known to you? *Yes*
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) *weekly in summer*
- (f) How many other people, approximately, did you see on these occasions? *1-2*
- (g) Please give any further details of other people's use of the way which you feel may be important *often used by local day walkers*
-

17. Have you ever been charged a monetary sum for using the path?
If so, by whom? *YES/NO
-

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)
..... —
- (c) Would you be willing to make the original document available if necessary? *YES/NO
- N/A*

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

20. Would you be prepared to give evidence of your use of the way
at a public inquiry or in a court of law, if necessary?

*YES/NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

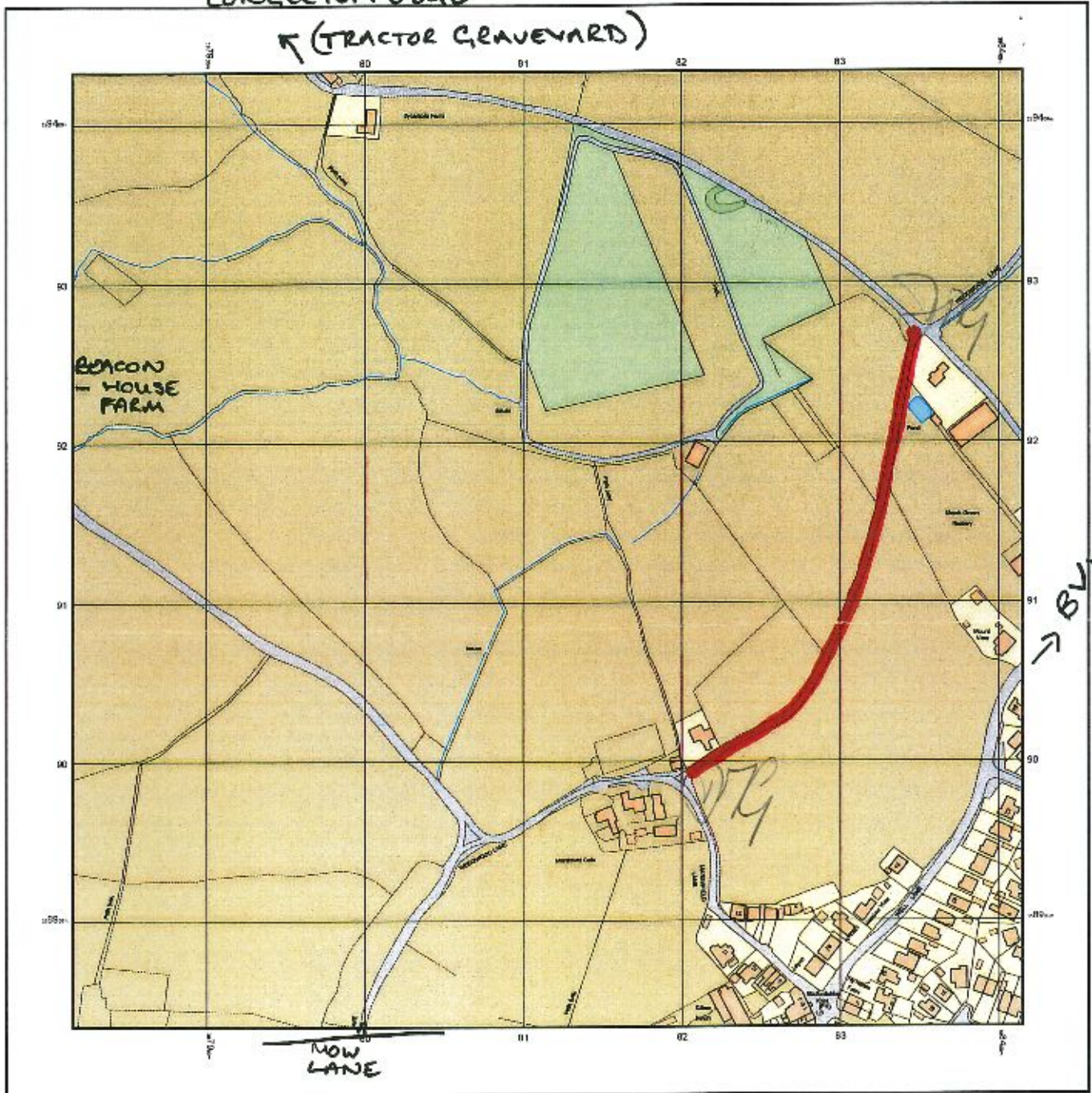
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: *[Handwritten Signature]*

Person taking this statement (if applicable) *N/A*

Date: *28/08/15*

CONCLETON EDGE
← (TRACTOR GRAVEYARD)



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SIGNED *[Signature]* Page 191 DATE *19/10/15*
pp J. Carver (with permission)

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms).....MARGARET.....MARINKOVIĆ.....

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 20 years
(b) Does the way have a popular name? .. WEDGEWOOD LANE
(c) Have you personally used the above way? *YES/NO
(d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From..... To.....
(f) Where were you going from/to? .. PLEASURE RIDE - HOCK
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) SEASONAL
(i) By what means? (eg on foot, horseback, motor vehicle etc) .. HORSE BACK
(j) Is, or was, the way a short cut for you? No
(k) If so why?

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? YES
(n) If not why not?

2. When using the path where did you live? .. AS .. GYERLEAF

If at different places please provide details and years.

3. (a) How wide is the way? .. IT WAS WIDE BUT BECAME QUITE NARROW

(b) Is it the same width throughout its length? .. No

4. If you have ridden a horse on the way

(a) Where did you keep the horse? AT HOME

(b) Where did you start and finish your ride? .. JACKSON RD - CONGLETON

(c) Were you ever riding with the hunt when you used the way? No

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO
- (b) **If YES**, how often and what type of vehicle were they using?
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES?NO
- (d) **If YES to (c)**,
- (i) How often was this?
- (ii) What type of vehicle were you in?
- (iii) For what purpose was it being used?
-

6. (a) Has the way always been on the same route? *YES/NO
- (b) **If NO**, please describe the original route, state when the way was diverted and show details on a plan.
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow?
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route?
-

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO
- (b) Have there, to your knowledge, ever been any gates on the way? *YES/NO
- (c) **If YES**, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom?
- Please mark on the attached plan the locations of the locked gates.
-

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO
- (b) **If YES**, state (i) what type of obstruction was this?
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO
 If so by whom or what?
 When was this?
 Have you continued to use the way despite hindrances or obstructions *YES/NO
 How did you do this? (e.g. diversion)
 Is the hindrance or obstruction still in existence *YES/NO
-

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO
 If YES, please give dates.
- (b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO
 If YES, please give dates.
- (c) Was the land ever owned or tenanted by a relative of yours? *YES/NO
 If so, what was their relationship to you?
- (d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO
- (e) If YES to (d),
 (i) What was your employment?
 (ii) Between what years were you employed?
- (f) If you were employed by the owner/tenant
 (i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO
 (ii) If so, what were your instructions?
- (g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO
 If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO
- (b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO

(c) If YES to (a) or (b), please give details including dates.

.....

.....

-
12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO

(b) If YES, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

-
13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

-
14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way? *YES/NO
 (Whether or not you asked for it)
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?
-

16. (a) Have you seen other people using the way? *YES/NO
- (b) How were they using the way (ie foot, horse)?HORSE.....
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)?
- (d) If they were not accompanying you, were these people known to you? ...No..
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc)SEASONAL.....
- (f) How many other people, approximately, did you see on these occasions? ..2..
- (g) Please give any further details of other people's use of the way which you feel may be important
-

17. Have you ever been charged a monetary sum for using the path? *YES/NO
 If so, by whom?
-

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)

- (c) Would you be willing to make the original document available if necessary? *YES/NO

N/A

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

20. Would you be prepared to give evidence of your use of the way
at a public inquiry or in a court of law, if necessary?

*YES/~~NO~~

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

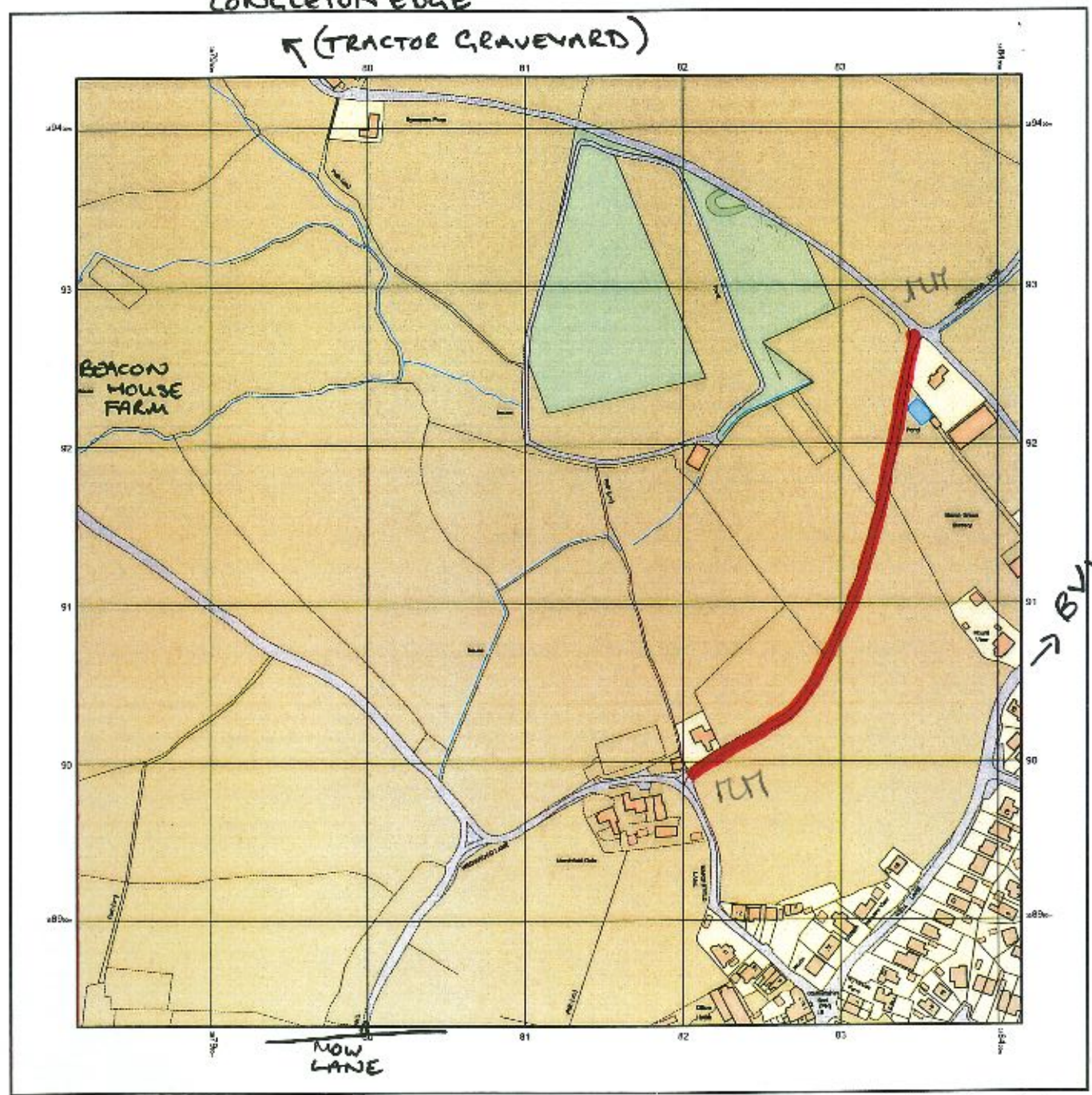
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: N. Nanković

Person taking this statement (if applicable)

Date: 7/9/15

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SIGNED... M. Marinkovic... Page 200... DATE... 7/9/15...

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms)..... DEBIE MOODY
(Block Capitals please)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)
From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 20 YEARS
(b) Does the way have a popular name?
(c) Have you personally used the above way? *YES/NO
(d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From... 1995... To... 2015
(f) Where were you going from/to? PUBLIC BRIDLEWAY 79 to MARSHFIELD RD
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) WEEKLY
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSE BACK
(j) Is, or was, the way a short cut for you? NO
(k) If so why?

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? YES
(n) If not why not?

2. When using the path where did you live? 19 DAVES ROAD CONINGTON CV312 3RA

If at different places please provide details and years.

3. (a) How wide is the way? 6ft approx
(b) Is it the same width throughout its length? No

4. If you have ridden a horse on the way
(a) Where did you keep the horse? New cop RIDING SCHOOL
OWN HORSE LIVERY CONINGTON
(b) Where did you start and finish your ride? AS ABOVE
(c) Were you ever riding with the hunt when you used the way? No

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *~~YES~~/NO
- (b) If **YES**, how often and what type of vehicle were they using?
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *~~YES~~?NO
- (d) If **YES** to (c),
- (i) How often was this?
- (ii) What type of vehicle were you in?
- (iii) For what purpose was it being used?
-

6. (a) Has the way always been on the same route? *~~YES~~/NO
- (b) If **NO**, please describe the original route, state when the way was diverted and show details on a plan.
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? ...YES.....
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? ...KEPT TO ROUTE.....
-

7. (a) Have there, to your knowledge, ever been any stiles on the way? *~~YES~~/NO
- (b) Have there, to your knowledge, ever been any gates on the way *~~YES~~/NO
- (c) If **YES**, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom?
- Please mark on the attached plan the locations of the locked gates.
-

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *~~YES~~/NO
- (b) If **YES**, state (i) what type of obstruction was this?
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? ~~YES~~/NO
 If so by whom or what?
 When was this?
 Have you continued to use the way despite hindrances or obstructions *YES/NO
 How did you do this? (e.g. diversion)
 Is the hindrance or obstruction still in existence *YES/NO
-

10. (a) Were you ever an owner or tenant of the land crossed by the way? ~~YES~~/NO
 If YES, please give dates.
 (b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO
 If YES, please give dates.
 (c) Was the land ever owned or tenanted by a relative of yours? ~~YES~~/NO
 If so, what was their relationship to you?
 (d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? ~~YES~~/NO
 (e) If YES to (d),
 (i) What was your employment?
 (ii) Between what years were you employed?
 (f) If you were employed by the owner/tenant
 (i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO
 (ii) If so, what were your instructions?
 (g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO
 If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *~~YES~~/NO
- (b) Do you know, or have you heard of, anyone else having been prevented from using the way? *~~YES~~/NO

(c) If **YES** to (a) or (b), please give details including dates.

.....

.....

-
12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *~~YES~~/NO

(b) If **YES**, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

-
13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *~~YES~~/NO

(b) If **YES**, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *~~YES~~/NO

-
14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *~~YES~~/NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *~~YES~~/NO

(c) If **YES** to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way? ~~YES~~/NO
(Whether or not you asked for it)
- (b) Have you ever asked permission to use the way? ~~YES~~/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?

16. (a) Have you seen other people using the way? *YES/~~NO~~
- (b) How were they using the way (ie foot, horse)? HORSE.....
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? FRIENDS
- (d) If they were not accompanying you, were these people known to you? ...NO..
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) ONCE A MONTH, SOME MONTHS MORE
- (f) How many other people, approximately, did you see on these occasions? ...3
- (g) Please give any further details of other people's use of the way which you feel may be important TENDED TO BE OTHER PEOPLE ON HORSES

17. Have you ever been charged a monetary sum for using the path? *YES/NO
If so, by whom?

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)
.....
- (c) Would you be willing to make the original document available if necessary? *YES/NO N/A

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

20. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

YES/NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

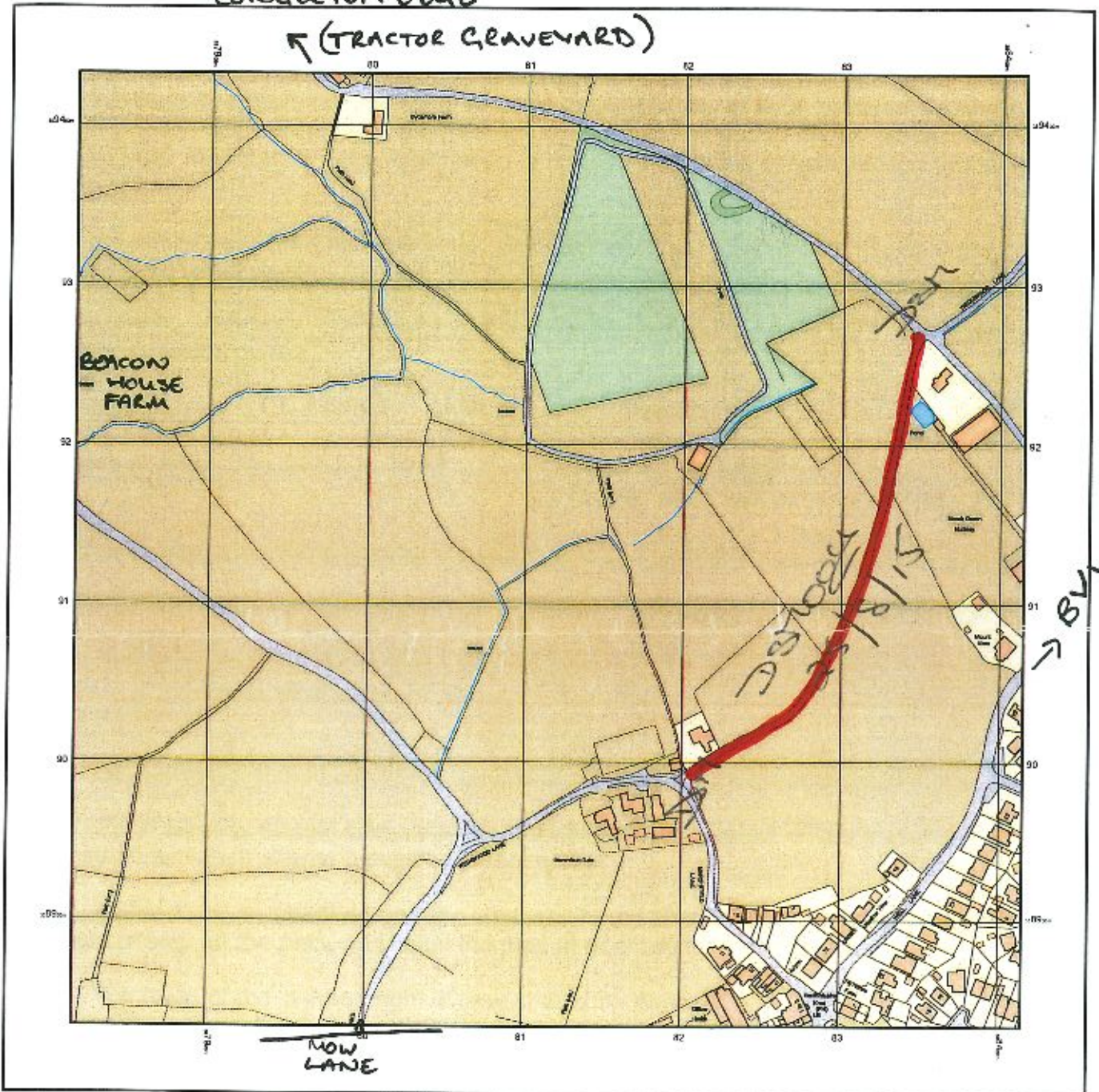
Signature: D. Stacey

Person taking this statement (if applicable)

Date: 25/8/15

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SIGNED..... Page 209 DATE.....

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms).....ALEXANDRA.....MEAKIN.....
(Print name clearly)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

- 1. (a) How many years have you known the way? ...~~25~~ 18.....
- (b) Does the way have a popular name?
- (c) Have you personally used the above way? YES NO
- (d) Did you only use part of the way? * YES NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From... 1997... To... PRESENT.....
- (f) Where were you going from/to? ...MORSEFIELD LANE TO WELLS LANE
- (g) For what purpose? (eg work, pleasure) ...PLEASURE - HORSE RIDING
- (h) How many times a year? (eg daily, weekly, seasonal) AT LEAST BI-MONTHLY.
- (i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK.....
- (j) Is, or was, the way a short cut for you? ...NO.....
- (k) If so why? ...IT IS PREFERABLE ROUTE AS IT IS OFF ROAD SO LESS DISRUPTION TO TRAFFIC.....

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way?YES WHEN IT IS POSSIBLE.....
- (n) If not why not? ...WHEN OVERCROWN IN SPRING IT IS TOO OVERCROWN TO USE.....

2. When using the path where did you live? ...CONGLETON # THEN BIDDULPH

If at different places please provide details and years.

LIVED IN CONGLETON UNTIL JUNE 97 THEN MOVED TO BIDDULPH

3. (a) How wide is the way? ...NARROW - HORSE WIDTH.....

(b) Is it the same width throughout its length? NO IT IS NARROWER IN PLACES

4. If you have ridden a horse on the way

(a) Where did you keep the horse? ...BIDDULPH FROM 2011... CONGLETON PREVIOUSLY.

(b) Where did you start and finish your ride? ...GILLON HEATH... MORE RECENTLY.

(c) Were you ever riding with the hunt when you used the way? ...NO.....

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO

(b) If YES, how often and what type of vehicle were they using?

(c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES/NO

(d) If YES to (c),

(i) How often was this?

(ii) What type of vehicle were you in?

(iii) For what purpose was it being used?

6. (a) Has the way always been on the same route? YES/NO

(b) If NO, please describe the original route, state when the way was diverted and show details on a plan.

(c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? Yes

(d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? STUCK TO ROUTE

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO

(b) Have there, to your knowledge, ever been any gates on the way? *YES/NO

(c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.

(d) If any gates on the way were ever locked please state, how often, and if known, by whom?

Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? YES/NO

(b) If YES, state (i) what type of obstruction was this? OVERCROWN HEDGES

(ii) When they were erected or removed? OCCASIONALLY CUT BACK

(c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO

If so by whom or what? OVERGROWN TREES

When was this? EVERY SPRING

Have you continued to use the way despite hindrances or obstructions *YES/NO

How did you do this? (e.g. diversion)

Is the hindrance or obstruction still in existence *YES/NO

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO

If YES, please give dates.

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? *YES/NO

If so, what was their relationship to you?

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) If so, what were your instructions?

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO YES NO

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO YES NO

(c) If YES to (a) or (b), please give details including dates.

.....

.....

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO YES NO

(b) If YES, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO YES NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? YES NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO YES NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

FOOTPATH SIGN
ON ADJACENT PATH BETWEEN WOODGROVE
LANE + WELL LANE. PATH UNACCESSIBLE BY
HORSES

15. (a) Have you ever been given permission to use the way?
(Whether or not you asked for it) *YES/NO
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?
-

16. (a) Have you seen other people using the way? *YES/NO
- (b) How were they using the way (ie foot, horse)? ...HORSE + FOOT.....
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? ...NO.....
- (d) If they were not accompanying you, were these people known to you? ...NO.....
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) ...REGULARLY... IN ...SUMMER / AUTUMN... WHEN POSSIBLE.....
- (f) How many other people, approximately, did you see on these occasions? ...2.....
- (g) Please give any further details of other people's use of the way which you feel may be important
-

17. Have you ever been charged a monetary sum for using the path?
If so, by whom? *YES/NO
-

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)
.....
- (c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

20. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

YES/ NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

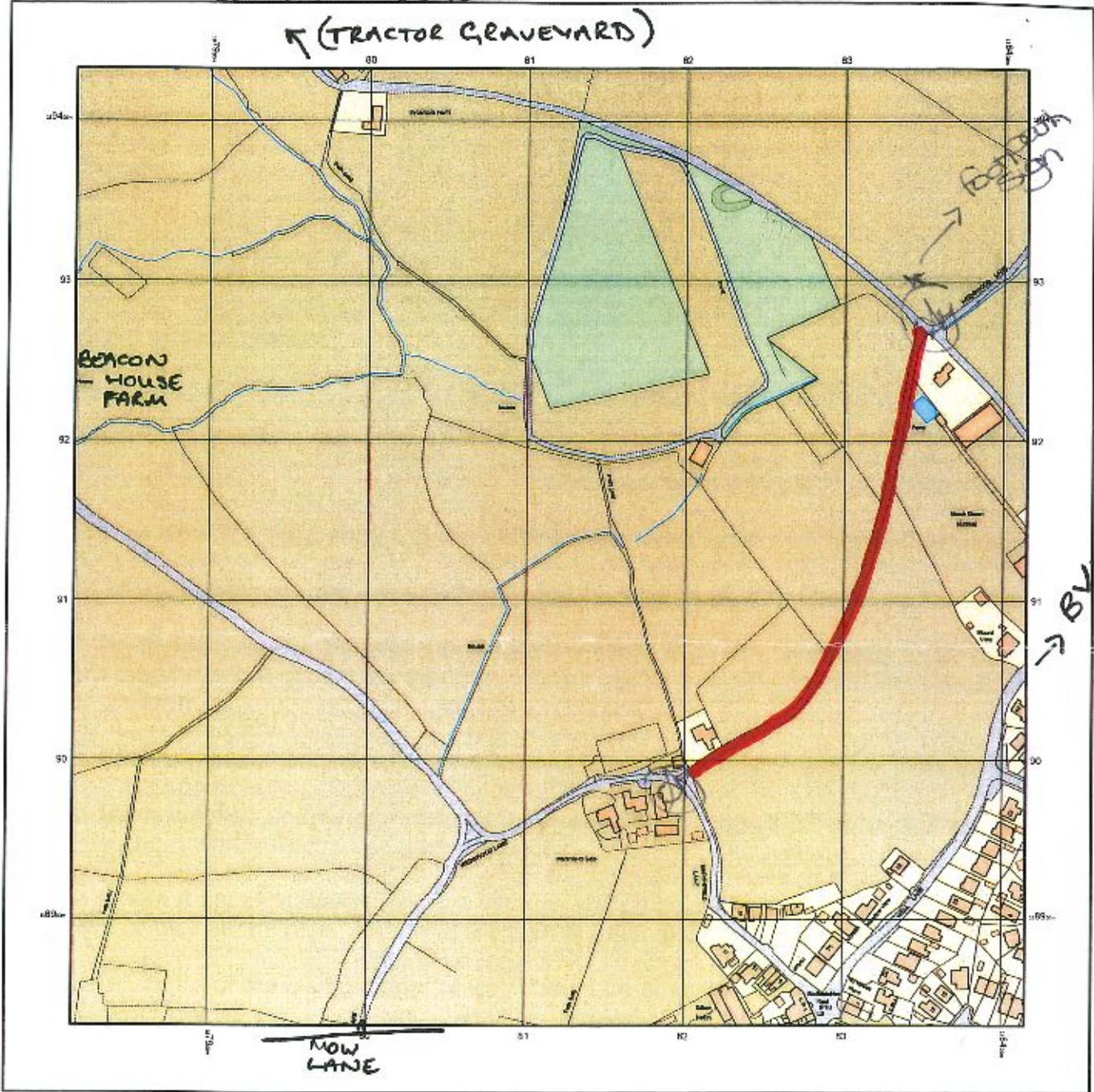
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: 

Person taking this statement (if applicable)

Date: 28-8-15

CONCLETON EDGE
← (TRACTOR GRAVEYARD)



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Centre Coordinates: 388115, 359133
Production Date: 17/08/2015 15:05:18

THE ROUTE HIGHLIGHTED RED IS THE ROUTE I HAVE USED

SIGNED [Signature] Page 218
DATE 27-8-15

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms) MARJORY HIGGS
(Block Capitals please)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 16 years
(b) Does the way have a popular name? WEDGWOOD LANE
(c) Have you personally used the above way? *YES/NO
(d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 1999 To 2001
(f) Where were you going from/to? 3hr back from BUTTERLANDS RIDING SCHOOL
(g) For what purpose? (eg work, pleasure) pleasure
(h) How many times a year? (eg daily, weekly, seasonal) BANK HOLIDAYS
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK
(j) Is, or was, the way a short cut for you? NO
(k) If so why?
..... + ENDURANCE RIDES 2011 - 2012 - 2014

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? YES
(n) If not why not?

2. When using the path where did you live? MALLESFIELD

If at different places please provide details and years.

3. (a) How wide is the way?
(b) Is it the same width throughout its length?

4. If you have ridden a horse on the way
(a) Where did you keep the horse? BUTTERLANDS, GAWSWORTH MY HORSE
(b) Where did you start and finish your ride? CONGLETON
(c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO

(b) If YES, how often and what type of vehicle were they using?

(c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES?NO

(d) If YES to (c),

(i) How often was this?

(ii) What type of vehicle were you in?

(iii) For what purpose was it being used?

6. (a) Has the way always been on the same route? *YES/NO

(b) If NO, please describe the original route, state when the way was diverted and show details on a plan.

(c) Is the way a clearly defined track or path which a stranger to the vicinity could follow?

(d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route?

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO

(b) Have there, to your knowledge, ever been any gates on the way *YES/NO

(c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.

(d) If any gates on the way were ever locked please state, how often, and if known, by whom?

Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO

(b) If YES, state (i) what type of obstruction was this?

(ii) When they were erected or removed?

(c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO
 If so by whom or what?
 When was this?
 Have you continued to use the way despite hindrances or obstructions *YES/NO
 How did you do this? (e.g. diversion)
 Is the hindrance or obstruction still in existence *YES/NO

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO
 If YES, please give dates.
 (b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO
 If YES, please give dates.
 (c) Was the land ever owned or tenanted by a relative of yours? *YES/NO
 If so, what was their relationship to you?
 (d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO
 (e) If YES to (d),
 (i) What was your employment?
 (ii) Between what years were you employed?
 (f) If you were employed by the owner/tenant
 (i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO
 (ii) If so, what were your instructions?
 (g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO
 If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO
- (b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO

(c) If YES to (a) or (b), please give details including dates.

.....

.....

-
12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO

(b) If YES, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

-
13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

-
14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way?
(Whether or not you asked for it) *YES/NO
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?
-

16. (a) Have you seen other people using the way? *YES/NO
- (b) How were they using the way (ie foot, horse)?HORSE.....
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)?ENDURANCE RIDE.....
- (d) If they were not accompanying you, were these people known to you?
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc)yearly.....
- (f) How many other people, approximately, did you see on these occasions?
- (g) Please give any further details of other people's use of the way which you feel may be important
-

17. Have you ever been charged a monetary sum for using the path? *YES/NO
If so, by whom?
-

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)
.....
- (c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

20. Would you be prepared to give evidence of your use of the way
at a public inquiry or in a court of law, if necessary?

*YES/NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

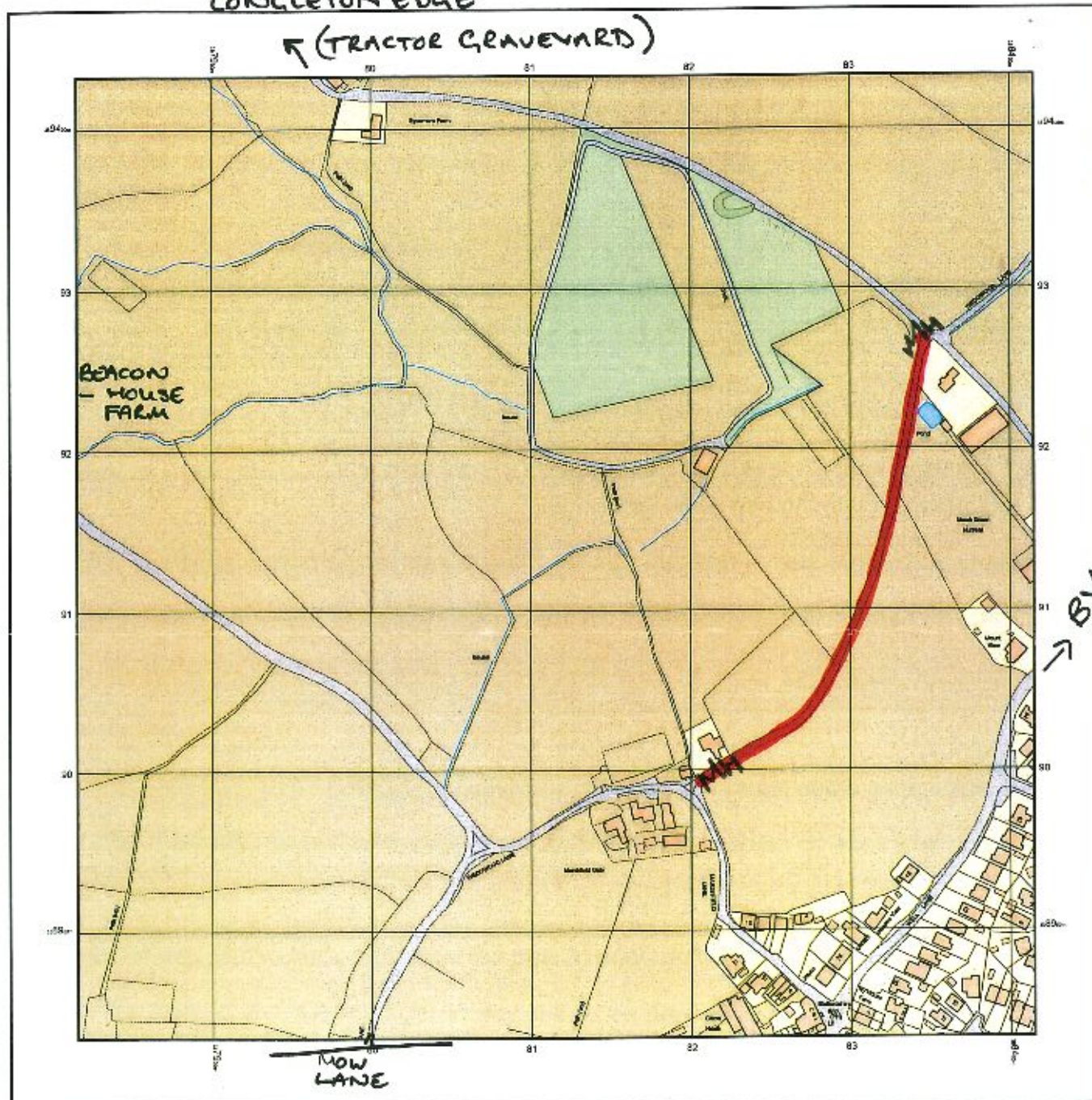
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: *Margery Higgs*.....

Person taking this statement (if applicable)

Date:

CONCLETON EDGE
← (TRACTOR GRAVEYARD)



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SIGNED Marjory Higgs Page 227 DATE 9-9-2015

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms)..... MRS. PAT QUERIN.....
(Block Capital please)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 15
(b) Does the way have a popular name? I DO NOT KNOW
(c) Have you personally used the above way? YES / NO
(d) Did you only use part of the way? YES / NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 2000 To 2015
(f) Where were you going from/to? TIMBERSBROOK → TIMBERSBROOK
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) SEASONAL
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK
(j) Is, or was, the way a short cut for you? NO. AN OFF-ROAD ROUTE
(k) If so why?

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? YES
(n) If not why not?

2. When using the path where did you live? ALLOSTOCK

If at different places please provide details and years.

3. (a) How wide is the way? VARIABLE - OVERGROWN IN PLACES

(b) Is it the same width throughout its length? NOT THE LAST TUNE I RODE IT

4. If you have ridden a horse on the way
(a) Where did you keep the horse? ALLOSTOCK

(b) Where did you start and finish your ride? TIMBERSBROOK CAR PARK

(c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? ~~YES~~/NO

(b) If YES, how often and what type of vehicle were they using?

(c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? ~~YES~~?NO

(d) If YES to (c),

(i) How often was this?

(ii) What type of vehicle were you in?

(iii) For what purpose was it being used?

6. (a) Has the way always been on the same route? *YES/~~NO~~

(b) If NO, please describe the original route, state when the way was diverted and show details on a plan.

(c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? YES.....

(d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? KEPT TO THE ROUTE.....

7. (a) Have there, to your knowledge, ever been any stiles on the way? *~~YES~~/NO

(b) Have there, to your knowledge, ever been any gates on the way? *~~YES~~/NO

(c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.

(d) If any gates on the way were ever locked please state, how often, and if known, by whom?

Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? ~~YES~~/NO

(b) If YES, state (i) what type of obstruction was this?

(ii) When they were erected or removed?

(c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *~~YES~~/NO
If so by whom or what?
When was this?
Have you continued to use the way despite hindrances or obstructions *YES/NO
How did you do this? (e.g. diversion)
Is the hindrance or obstruction still in existence *YES/NO

10. (a) Were you ever an owner or tenant of the land crossed by the way? *~~YES~~/NO

If YES, please give dates.

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? *~~YES~~/NO

If so, what was their relationship to you?

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *~~YES~~/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) If so, what were your instructions?

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? ~~YES~~/NO
- (b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO

(c) If YES to (a) or (b), please give details including dates.

.....

.....

-
12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO

(b) If YES, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

-
13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? ~~YES~~/NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan?

*YES/NO

-
14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way?
(Whether or not you asked for it) *~~YES~~/NO
- (b) Have you ever asked permission to use the way? *~~YES~~/NO
- (c) If **YES**, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?
-

16. (a) Have you seen other people using the way? *YES/~~NO~~
- (b) How were they using the way (ie foot, horse)? HORSE..... FOOT.....
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? RIDING COMPANIONS, WALKERS
- (d) If they were not accompanying you, were these people known to you? ...NO....
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) SEASONAL.....
- (f) How many other people, approximately, did you see on these occasions? 1-2
- (g) Please give any further details of other people's use of the way which you feel may be important
-

17. Have you ever been charged a monetary sum for using the path?
If so, by whom? *~~YES~~/NO
-

18. (a) Do you have any documentary evidence about the way? *~~YES~~/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)
-
- (c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

Would you be prepared to give evidence of your use of the way
at a public inquiry or in a court of law, if necessary?

*YES/~~NO~~

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

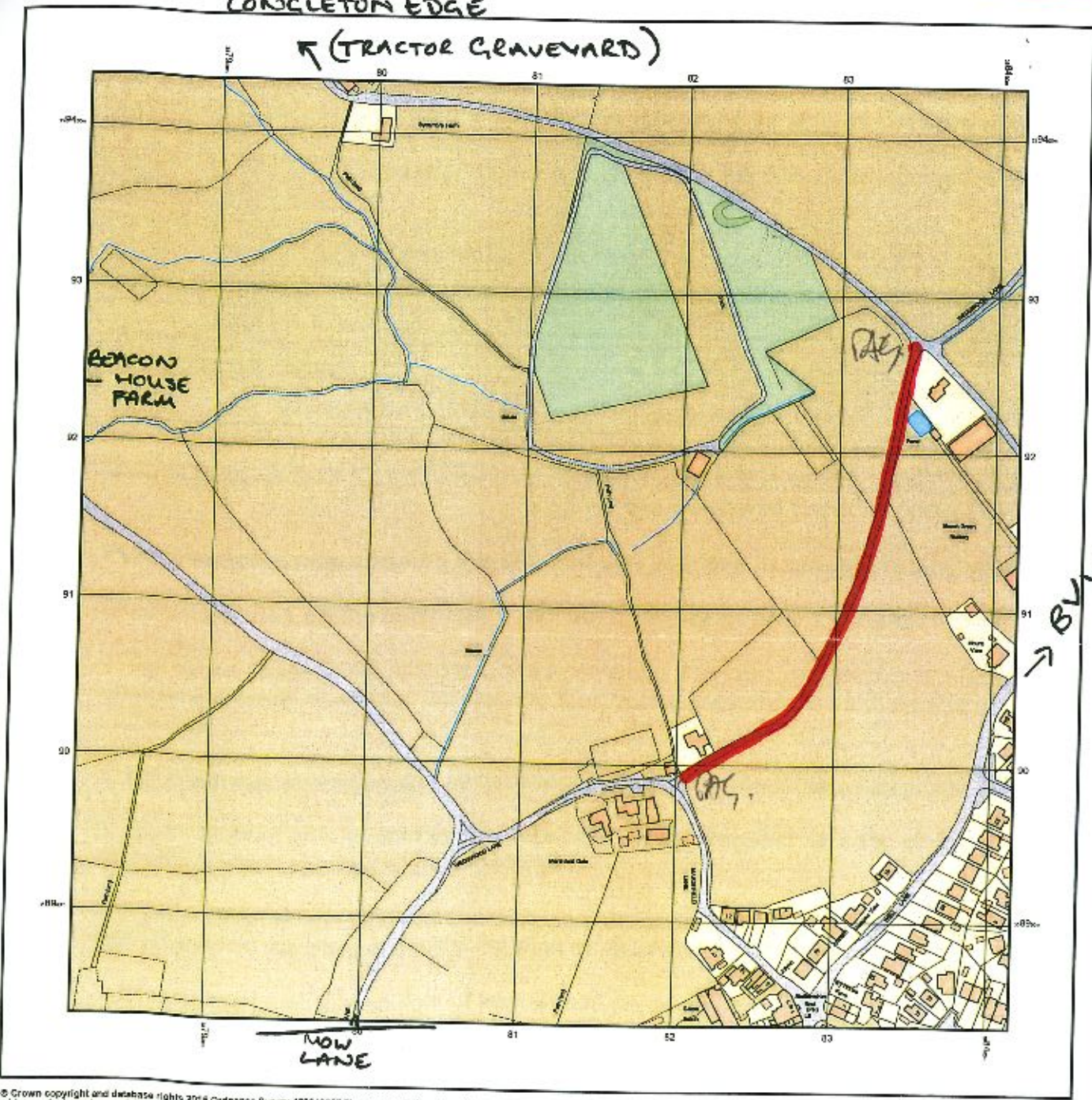
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: PJK

Person taking this statement (if applicable)

Date: 26.08.15

CONCLETON EDGE
← (TRACTOR GRAVEYARD)



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SIGNED..... *PAC* DATE *26.08.15*

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms) Mr. ATKINSON
(Block Capitals please)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? About 15 years
(b) Does the way have a popular name? Wedgwood Lane
(c) Have you personally used the above way? YES/NO
(d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 2000 To Present
(f) Where were you going from/to? Walsby Lane, Astbury; From + to
Puddlebank, Nick + Hill
(g) For what purpose? (eg work, pleasure) Pleasure
(h) How many times a year? (eg daily, weekly, seasonal) Weekly
(i) By what means? (eg on foot, horseback, motor vehicle etc) horseback, cycle
(j) Is, or was, the way a short cut for you?
(k) If so why?

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? Occasionally
(n) If not why not?

2. When using the path where did you live? Initially in Leeds 2000-2007
currently in Congleton 2007 - Present
If at different places please provide details and years.

3. (a) How wide is the way? 3-4 metres
(b) Is it the same width throughout its length? No there are some narrower parts + it is obvious that it has been used
4. If you have ridden a horse on the way
(a) Where did you keep the horse? 1) The Astbury, Astbury Lane, Astbury
2) Puddlebank, Congleton Edge Road
(b) Where did you start and finish your ride? At the stables
(c) Were you ever riding with the hunt when you used the way? No

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO
- (b) If YES, how often and what type of vehicle were they using?
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES/NO
- (d) If YES to (c),
- (i) How often was this?
- (ii) What type of vehicle were you in?
- (iii) For what purpose was it being used?

6. (a) Has the way always been on the same route? *YES/NO
- (b) If NO, please describe the original route, state when the way was diverted and show details on a plan.
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? *Yes*
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? *kept to the route as it was a well hedged edge*

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO
- (b) Have there, to your knowledge, ever been any gates on the way? *YES/NO
- (c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom?
- Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO
- (b) If YES, state (i) what type of obstruction was this?
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO

If so by whom or what?

When was this?

Have you continued to use the way despite hindrances or obstructions *YES/NO

How did you do this? (e.g. diversion)

Is the hindrance or obstruction still in existence *YES/NO

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO

If YES, please give dates.

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? *YES/NO

If so, what was their relationship to you?

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) If so, what were your instructions?

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO

(c) If YES to (a) or (b), please give details including dates.

.....
.....

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO

(b) If YES, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way? YES NO
 (Whether or not you asked for it)
- (b) Have you ever asked permission to use the way? YES NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?

16. (a) Have you seen other people using the way? YES NO
- (b) How were they using the way (ie foot, horse)? *Foot, bicycle, horse*
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? *Some of them - Cath Dave Crowe, Andrea Benson, Sue Martin, Bottom Flagg, Maria Kowicz, Sarah Cummins, Tracey Talbot, Joy Bone*
- (d) If they were not accompanying you, were these people known to you? *Yes, I know. There were regular users - eg the land owners at the corner of the lane.*
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) *Weekly*

- (f) How many other people, approximately, did you see on these occasions? *It was a popular route. I have seen groups of about 20 walkers and on a weekly basis at least I have known to see many school children.*
- (g) Please give any further details of other people's use of the way which you feel may be important. *You could not reach. South Downs Association, Conington, Jane Rofey, North Staffs. Sideways Ramblers Association*

17. Have you ever been charged a monetary sum for using the path? YES NO
 If so, by whom?

18. (a) Do you have any documentary evidence about the way? YES NO
- (b) If so, in what form is this? (ie maps, photos, etc please attach a copy if possible)
-
- (c) Would you be willing to make the original document available if necessary? YES NO

I have seen copies of historic documents with Wedgewood Lane on.

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

Border Bridleways have regularly organised
8hr rides incorporating Wedgwood here
Celia Cromarty organised a he Treo competition
using this track

Initially I used the track as a visit to
hounds riding out with friends. It was part of
a regular ride that we used. When I moved
my horse from hounds I regularly rode to
Wedgwood here as part of a number of routes
around the Biddulph Valley Trail. When I
moved my horse to Congleton Edge I continued
to use Wedgwood here as a regular ride. It
is an invaluable link to any number of local
routes which can extend as shorter rides.

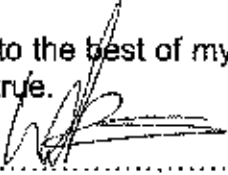
I continue to use the track as a walker
and have found on my recent visit that
at this end to be well maintained however
the other end of the track is very overgrown &
the surface is in need of maintenance. I would
be concerned about riding my horse down
this part of the track.

20. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

YES/ NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

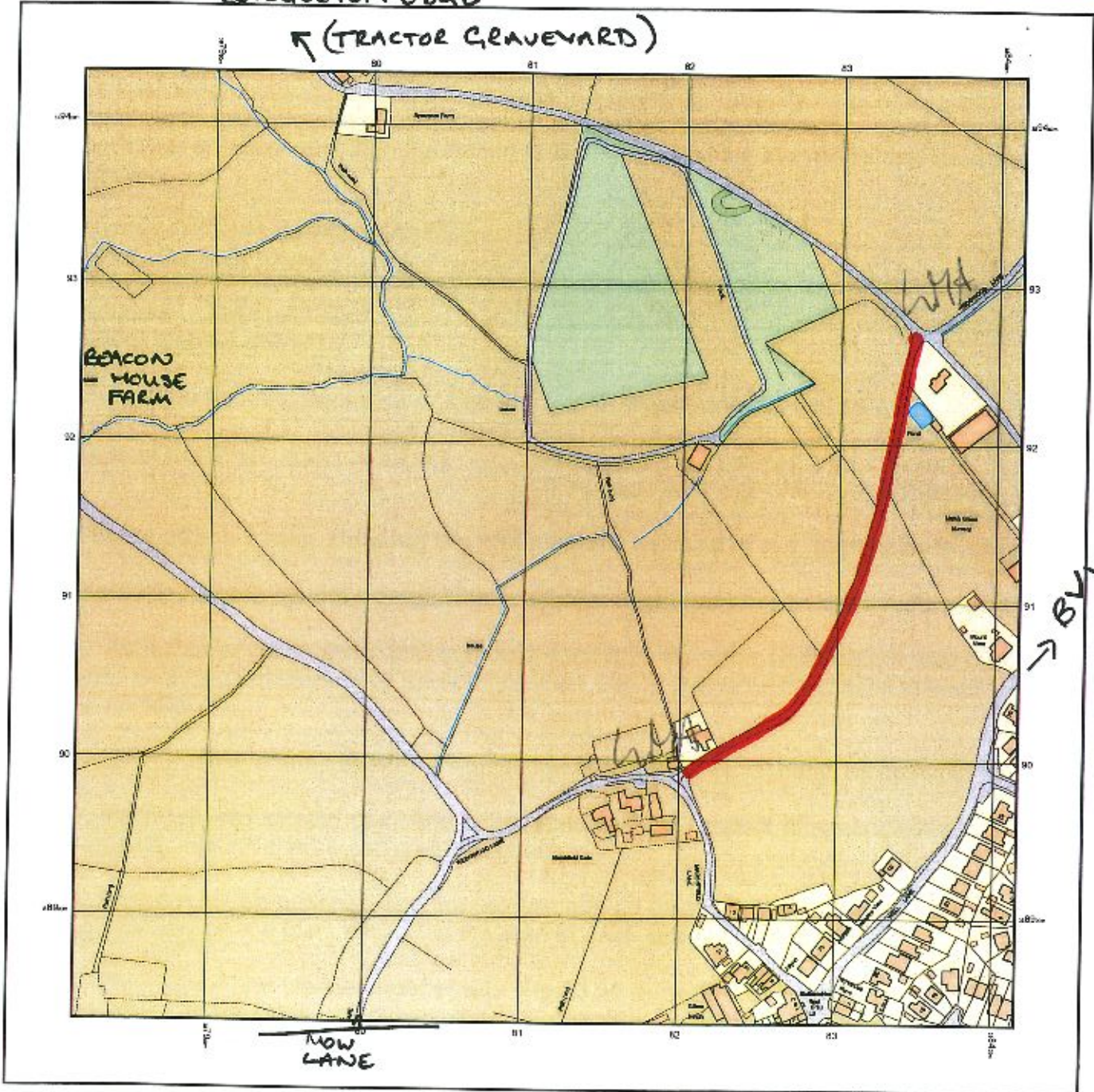
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: 

Person taking this statement (if applicable)

Date: 22 August 2015


CONGLETON EDGE
↑ (TRACTOR GRAVEYARD)



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SIGNED 

Page 245 DATE 22 August 2015

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM **Important Note**

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms) MRS JULIE ANDREWS
(Block Capital letters)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 15 YEARS
(b) Does the way have a popular name? LEDGEWOOD LAVE
(c) Have you personally used the above way? YES *YES/NO
(d) Did you only use part of the way? NO - ALL THE TRACK *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 2000 To 2015
(f) Where were you going from/to? CONGLETON TO BIDDOLPH VALLEY TRACK
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) WEEKLY
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK
(j) Is, or was, the way a short cut for you? YES
(k) If so why? USED HAS PART OF A CIRCULAR ROUTE FROM CONGLETON EDGE TO BIDDOLPH VALLEY RAILWAY TRACK

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? YES - WHEN NOT OVERTAKING
(n) If not why not?

2. When using the path where did you live? CONGLETON

If at different places please provide details and years.

3. (a) How wide is the way? AT TIMES HORSE WIDTH

(b) Is it the same width throughout its length? SOME PARTS

4. If you have ridden a horse on the way

(a) Where did you keep the horse? CONGLETON

(b) Where did you start and finish your ride? BEGINNING TO END OF TRACK CONGLETON → CONGLETON

(c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? **NO** *YES/NO
- (b) If **YES**, how often and what type of vehicle were they using? **N/A**
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? **NO** *YES?NO
- (d) If **YES** to (c),
- (i) How often was this?
- (ii) What type of vehicle were you in?
- (iii) For what purpose was it being used?

6. (a) Has the way always been on the same route? **YES** *YES/NO
- (b) If **NO**, please describe the original route, state when the way was diverted and show details on a plan.
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow?
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route?

7. (a) Have there, to your knowledge, ever been any stiles on the way? **NO** *YES/NO
- (b) Have there, to your knowledge, ever been any gates on the way? **NO** *YES/NO
- (c) If **YES**, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom?
- Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? **YES** *YES/NO
- (b) If **YES**, state (i) what type of obstruction was this? **OVERGROWN HEDGES + PATH FLOOR UNEVEN**
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan. **NO**

9. Has your usage ever been hindered or prevented in any way? *YES/NO

If so by whom or what? YES.....

When was this? HEDGES TO OVERGROWN, + PATH COULD NOT SEE WHERE GOING.....

Have you continued to use the way despite hindrances or obstructions *YES/NO
SOMETIMES

How did you do this? (e.g. diversion)

Is the hindrance or obstruction still in existence YES CAN BE *YES/NO

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO

NO

If YES, please give dates.

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? NO *YES/NO

If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? NO *YES/NO

If so, what was their relationship to you?

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? NO *YES/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? NIA *YES/NO

(ii) If so, what were your instructions?

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? NIA *YES/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO

YES

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO

YES

(c) If YES to (a) or (b), please give details including dates.

VARIOUS TIMES THROUGHOUT THE YEARS DUE TO BEING NOT SAFE TO RIDE A HORSE DOWN THE TRACK

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO

NO

(b) If YES, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO

NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO

NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO

NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way? *YES/NO
 (Whether or not you asked for it)
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?
-

16. (a) Have you seen other people using the way? YES *YES/NO
- (b) How were they using the way (ie foot, horse)? HORSE + FOOT, CYCLIST.....
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? NO.....
- (d) If they were not accompanying you, were these people known to you? NO.....
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) WEEKLY.....
- (f) How many other people, approximately, did you see on these occasions? COUPLE
- (g) Please give any further details of other people's use of the way which you feel may be important
-

17. Have you ever been charged a monetary sum for using the path? *YES/NO
 If so, by whom? NO
-

18. (a) Do you have any documentary evidence about the way? NO *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)

- (c) Would you be willing to make the original document available if necessary? N/A *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

20. Would you be prepared to give evidence of your use of the way
at a public inquiry or in a court of law, if necessary? YES *YES/NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

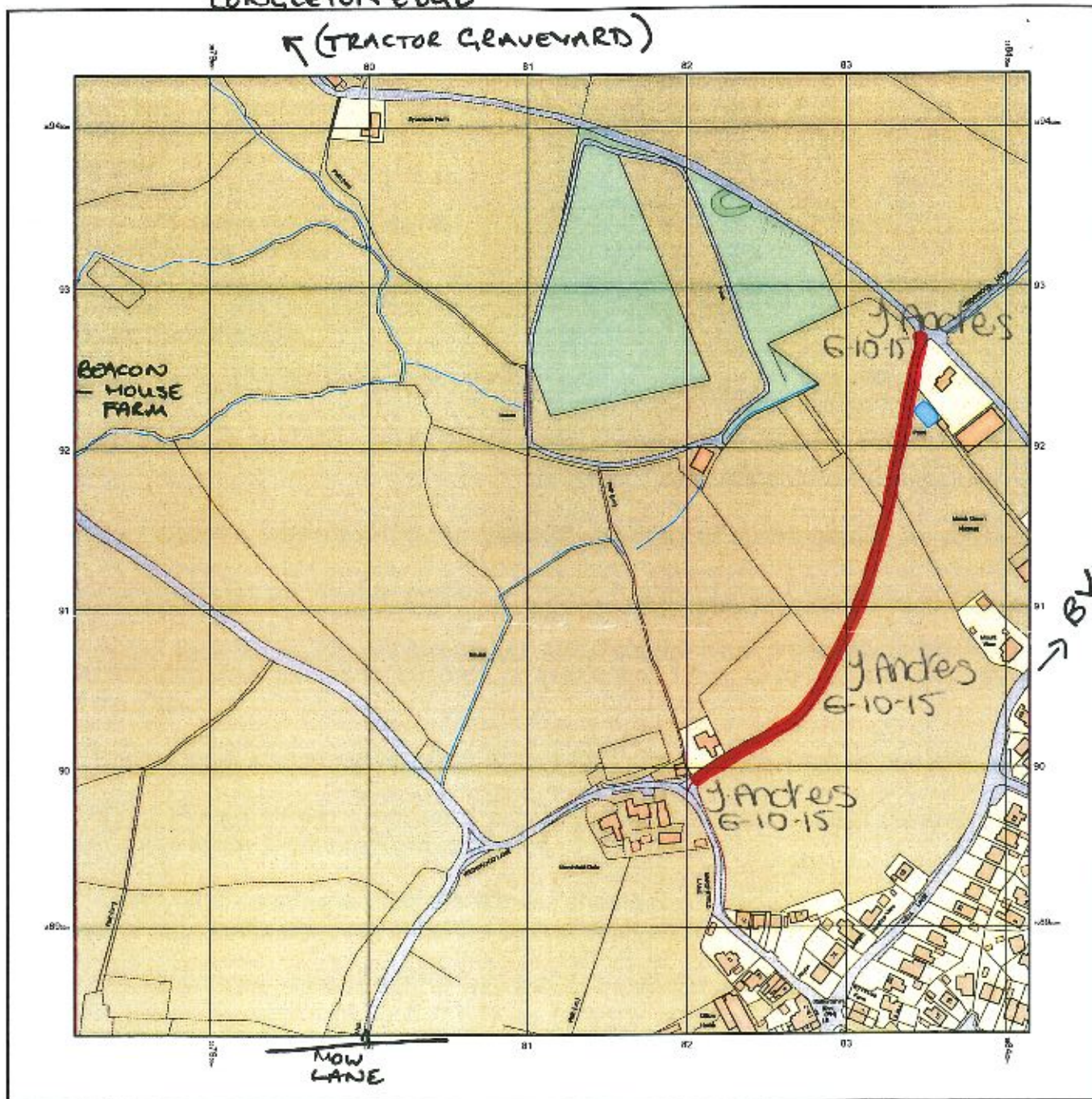
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: J. Andreis

Person taking this statement (if applicable) JULIE ANDREIS

Date: 6-10-15

CONCLETON EDGE
← (TRACTOR GRAVEYARD)



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SIGNED J. Andres Page 254 DATE 6-10-15

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms) SANDRE JACKSON

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 15 years
(b) Does the way have a popular name?
(c) Have you personally used the above way? *YES/NO
(d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 2000 To 2015
(f) Where were you going from/to? GILLOW HEATH + CONELTON EDGE
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) MONTHLY
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK + ON FOOT
(j) Is, or was, the way a short cut for you? NO
(k) If so why?

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? YES
(n) If not why not? —

2. When using the path where did you live? 10 KESTREL CLOSE CONELTON

If at different places please provide details and years.

3. (a) How wide is the way? NOT SURE

(b) Is it the same width throughout its length?

4. If you have ridden a horse on the way

- (a) Where did you keep the horse? MORTON LIVERY
(b) Where did you start and finish your ride? GILLOW HEATH.
(c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO
- (b) If YES, how often and what type of vehicle were they using?
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES/NO
- (d) If YES to (c),
- (i) How often was this?
- (ii) What type of vehicle were you in?
- (iii) For what purpose was it being used?
-

6. (a) Has the way always been on the same route? *YES/NO
- (b) If NO, please describe the original route, state when the way was diverted and show details on a plan.
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? YES
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? NO
-

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO
- (b) Have there, to your knowledge, ever been any gates on the way? *YES/NO
- (c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom?
- Please mark on the attached plan the locations of the locked gates.
-

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO
- (b) If YES, state (i) what type of obstruction was this?
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO

If so by whom or what?

When was this?

Have you continued to use the way despite hindrances or obstructions *YES/NO

How did you do this? (e.g. diversion)

Is the hindrance or obstruction still in existence *YES/NO

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO

If **YES**, please give dates.

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If **YES**, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? *YES/NO

If **so**, what was their relationship to you?

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO

(e) If **YES to (d)**,

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) If **so**, what were your instructions?

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If **so**, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO
(b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO
(c) If YES to (a) or (b), please give details including dates.
.....
.....

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO
(b) If YES, please state:
(i) Who told you?
(ii) When you were told?
(iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO
(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO
(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO
(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

15. (a) Have you ever been given permission to use the way?
(Whether or not you asked for it) *YES/NO
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?

16. (a) Have you seen other people using the way? *YES/NO
- (b) How were they using the way (ie foot, horse)? *Horse & on foot*
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? *Running Club + Companions*
- (d) If they were not accompanying you, were these people known to you?
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) *monthly*
- (f) How many other people, approximately, did you see on these occasions? *3*
- (g) Please give any further details of other people's use of the way which you feel may be important

17. Have you ever been charged a monetary sum for using the path?
If so, by whom? *YES/NO

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible
.....
- (c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

20. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

YES NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

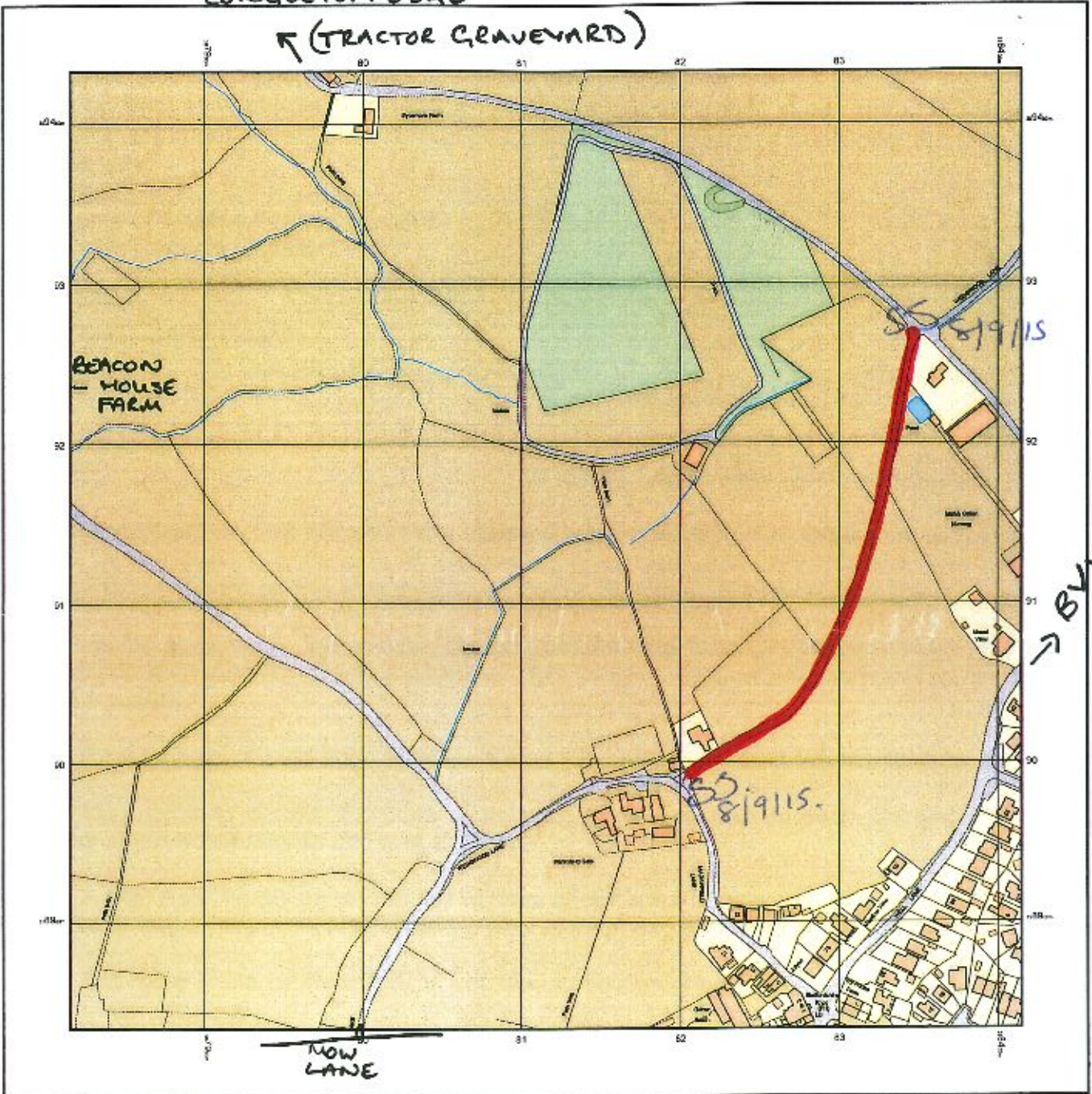
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: 

Person taking this statement (if applicable)

Date: 8/9/15

CONGLETON EDGE
← (TRACTOR GRAVEYARD)



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THE ROUTE HIGHLIGHTED RED IS THE ROUTE I HAVE USED

SIGNED.....  DATE 8/9/15.....

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM **Important Note**

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms) RACHEL MARGARET STAFFORD
(Block Capitals please)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 15 YEARS
(b) Does the way have a popular name?
(c) Have you personally used the above way? *YES/NO
(d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 2000 To 2015
(f) Where were you going from/to? PUBLIC BRIDLEWAY 79 TO MARSHFIELD ROAD
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) WEEKLY / MONTHLY
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK
(j) Is, or was, the way a short cut for you? NO
(k) If so why?

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? YES
(n) If not why not?

2. When using the path where did you live? 2007-2015 PRESENT HOME ADDRESS AND 33 CROSS LANE, CONGLETON CW12 3TX 2000-2007
If at different places please provide details and years.

3. (a) How wide is the way? 6 FT APPROX
(b) Is it the same width throughout its length? NO

4. If you have ridden a horse on the way
(a) Where did you keep the horse? HOME ADDRESS
(b) Where did you start and finish your ride? HOME ADDRESS
(c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO
- (b) If YES, how often and what type of vehicle were they using?
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES?NO
- (d) If YES to (c),
- (i) How often was this?
- (ii) What type of vehicle were you in?
- (iii) For what purpose was it being used?
-

6. (a) Has the way always been on the same route? *YES/NO
- (b) If NO, please describe the original route, state when the way was diverted and show details on a plan.
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? YES.....
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? NO NEVER WANDERED OFF ALWAYS KEPT TO ROUTE ROUTE
-

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO
- (b) Have there, to your knowledge, ever been any gates on the way *YES/NO
- (c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom?
- Please mark on the attached plan the locations of the locked gates.
-

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO
- (b) If YES, state (i) what type of obstruction was this?
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *~~YES~~/NO
 If so by whom or what?
 When was this?
 Have you continued to use the way despite hindrances or obstructions *YES/NO
 How did you do this? (e.g. diversion)
 Is the hindrance or obstruction still in existence *YES/NO

10. (a) Were you ever an owner or tenant of the land crossed by the way? *~~YES~~/NO

If YES, please give dates.

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? *~~YES~~/NO

If so, what was their relationship to you?

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *~~YES~~/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) **If so**, what were your instructions?

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *~~YES~~/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO

(c) If YES to (a) or (b), please give details including dates.

.....
.....

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO

(b) If YES, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way? ~~YES~~/NO
(Whether or not you asked for it)
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?
-

16. (a) Have you seen other people using the way? *YES/~~NO~~
- (b) How were they using the way (ie foot, horse)? ...HORSE.....FOOT.....
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)?FAMILY,.....FRIENDS.....
- (d) If they were not accompanying you, were these people known to you? ...N.O..
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc)ONCE / TWICE.....A MONTH.....
- (f) How many other people, approximately, did you see on these occasions? .1/.2
- (g) Please give any further details of other people's use of the way which you feel may be important
-

17. Have you ever been charged a monetary sum for using the path? ~~YES~~/NO
If so, by whom?
-

18. (a) Do you have any documentary evidence about the way? ~~YES~~/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)
.....
- (c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

20. Would you be prepared to give evidence of your use of the way
at a public inquiry or in a court of law, if necessary?

*YES/NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

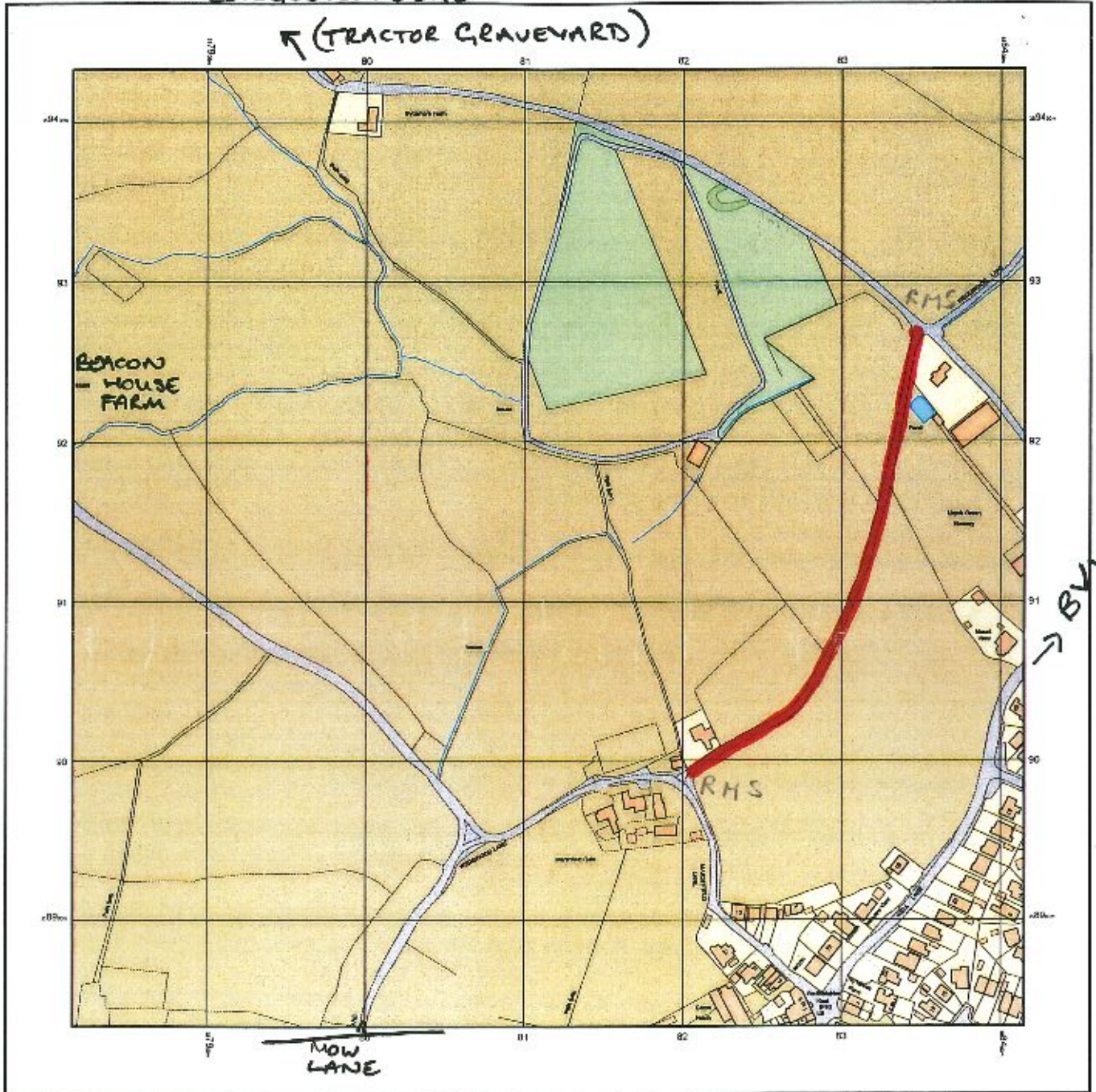
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: *R.M. Stafford*

Person taking this statement (if applicable)

Date: *25/8/15*

CONGLETON EDGE
↑ (TRACTOR GRAVEYARD)



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SIGNED R.M. Stafford Page 272 DATE 25/8/15

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (Mr/Mrs/Miss/Ms) KENNETH SIMPSON.....

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 13 YEARS
(b) Does the way have a popular name? WEDGEWOOD LANE BRIDLEWAY
(c) Have you personally used the above way? *YES/NO*
(d) Did you only use part of the way? *YES/NO*

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From... 2002 To 2015
(f) Where were you going from/to? MOW ^{FROM} COP RIDING CENTRE / TO RAILWAY LINES
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) MONTHLY
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK
(j) Is, or was, the way a short cut for you? YES
(k) If so why? THIS ROUTE CUTS OUT USE OF A ROAD, MAKING IT SAFER FOR EVERYONE.

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? YES
(n) If not why not?

2. When using the path where did you live? NEWCASTLE UNDER LYME

If at different places please provide details and years.

3. (a) How wide is the way? 2M

(b) Is it the same width throughout its length? YES

4. If you have ridden a horse on the way

- (a) Where did you keep the horse? MOW COP RIDING CENTRE
(b) Where did you start and finish your ride? MOW COP RIDING CENTRE
(c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO
- (b) If **YES**, how often and what type of vehicle were they using?
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES?NO
- (d) If **YES** to (c),
- (i) How often was this?
- (ii) What type of vehicle were you in?
- (iii) For what purpose was it being used?
-

6. (a) Has the way always been on the same route? *YES/NO
- (b) If **NO**, please describe the original route, state when the way was diverted and show details on a plan.
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? YES
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? NO
-

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO
- (b) Have there, to your knowledge, ever been any gates on the way? *YES/NO
- (c) If **YES**, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom?
- Please mark on the attached plan the locations of the locked gates.
-

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO
- (b) If **YES**, state (i) what type of obstruction was this? RUBBIE / LOGS STONES / AIDS
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO
- If so by whom or what? ...GLASS / LARGE RUBBLE.....
- When was this?JULY 2015.....
- Have you continued to use the way despite hindrances or obstructions *YES/NO
- How did you do this? (e.g. diversion) ...CAREFULLY GOING AROUND.....
- Is the hindrance or obstruction still in existence *YES/NO
-

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO

If YES, please give dates.

- (b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If YES, please give dates.

- (c) Was the land ever owned or tenanted by a relative of yours? *YES/NO

If so, what was their relationship to you?

- (d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

- (i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) If so, what were your instructions?

- (g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO

(c) If YES to (a) or (b), please give details including dates.

.....
.....

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO

(b) If YES, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

15. (a) Have you ever been given permission to use the way? *YES/NO
 (Whether or not you asked for it)
- (b) Have you ever asked permission to use the way? *YES/NO
- (c) If YES, who gave you permission?
- (d) When were you given permission?
- (e) For what purpose were you given permission to use the way?
-

16. (a) Have you seen other people using the way? *YES/NO
- (b) How were they using the way (ie foot, horse)? ..HORSE RIDING.....
- (c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? ..NO, MOST HORSE RIDERS USE THIS ROUTE
- (d) If they were not accompanying you, were these people known to you? ..NO...
- (e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc)MONTHLY.....
- (f) How many other people, approximately, did you see on these occasions? GROUP
- (g) Please give any further details of other people's use of the way which you feel may be important
-

17. Have you ever been charged a monetary sum for using the path? *YES/NO
 If so, by whom?
-

18. (a) Do you have any documentary evidence about the way? *YES/NO
- (b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)

- (c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

20. Would you be prepared to give evidence of your use of the way
at a public inquiry or in a court of law, if necessary?

*YES/NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

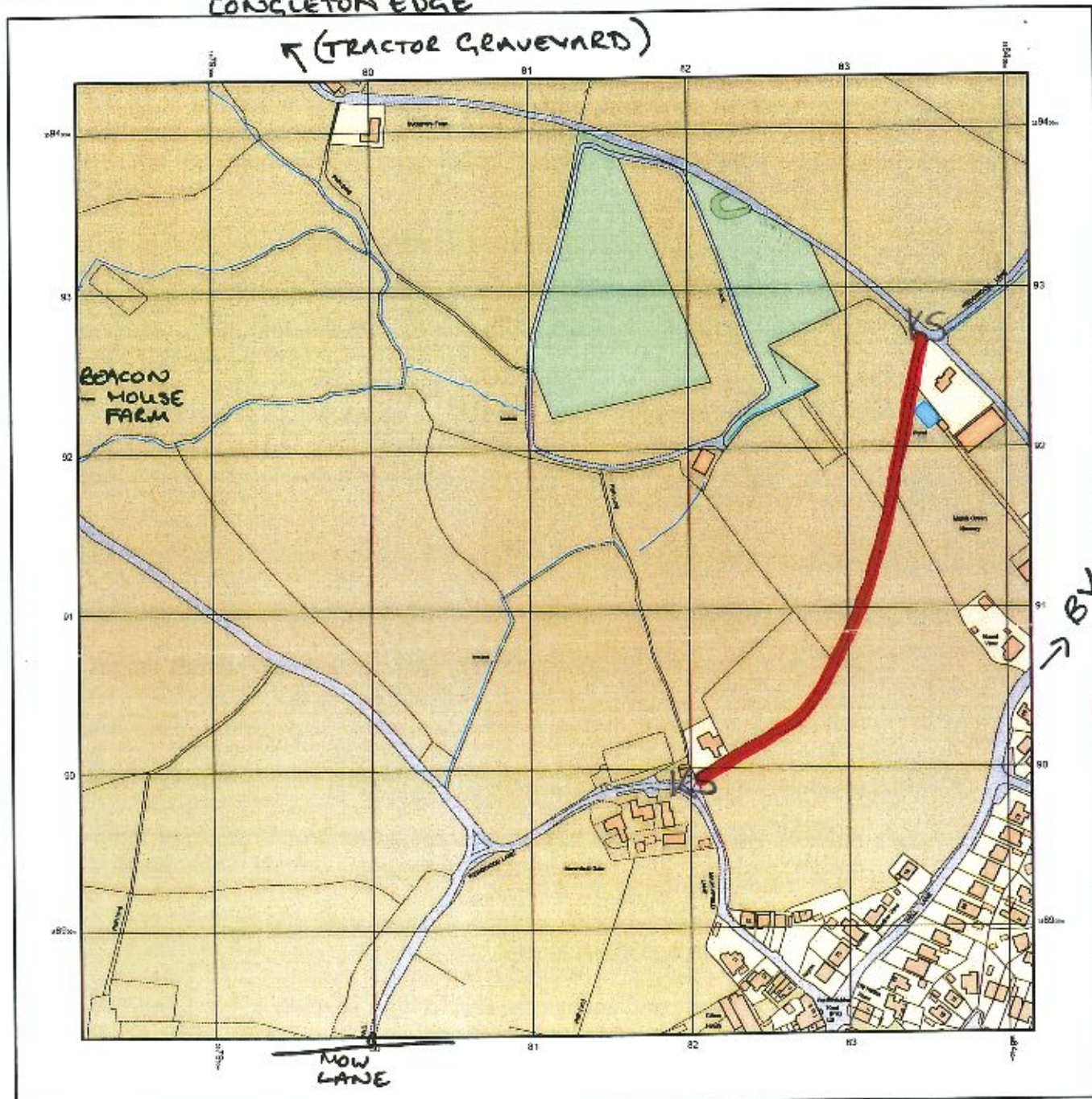
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: L. Lyden

Person taking this statement (if applicable) [Signature]

Date: 19/10/15

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SIGNED..... *K Sygbar* Page 281 DATE..... *19.10.15*.....

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

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Name of witness (Mr/Mrs/Miss/Ms) SUSAN M. SIDEBOTHAM

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)

From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 12 YRS
(b) Does the way have a popular name? WEDGWOOD LANE BRIDLEWAY
(c) Have you personally used the above way? YES/NO
(d) Did you only use part of the way? *YES/NO
YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 2004... To 2015.....
(f) Where were you going from/to? MOW LANE TO TRACK 79 & B&W
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) AVERAGE ONCE A MONTH
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK
(j) Is, or was, the way a short cut for you? NO. BUT DID AVOID A BUSY ROAD
(k) If so why?
.....
.....

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? YES
(n) If not why not?
.....

2. When using the path where did you live? S. FALMOUTH RD
.....

If at different places please provide details and years.

3. (a) How wide is the way? 3 - 4 METRES
.....

(b) Is it the same width throughout its length?
.....

4. If you have ridden a horse on the way
(a) Where did you keep the horse? PUDDLEBANK FARM CONQUESTON EDGE
.....

(b) Where did you start and finish your ride? AS ABOVE
.....

(c) Were you ever riding with the hunt when you used the way? No
.....

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO

(b) If YES, how often and what type of vehicle were they using?

(c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES/NO

(d) If YES to (c),

(i) How often was this?

(ii) What type of vehicle were you in?

(iii) For what purpose was it being used?

6. (a) Has the way always been on the same route? YES/NO

(b) If NO, please describe the original route, state when the way was diverted and show details on a plan.

(c) Is the way a clearly defined track or path which a stranger to the vicinity could follow?

(d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route?

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO

(b) Have there, to your knowledge, ever been any gates on the way? *YES/NO

(c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.

(d) If any gates on the way were ever locked please state, how often, and if known, by whom?

Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO

(b) If YES, state (i) what type of obstruction was this?

(ii) When they were erected or removed?

(c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *YES/NO

If so by whom or what?

When was this?

Have you continued to use the way despite hindrances or obstructions *YES/NO

How did you do this? (e.g. diversion)

Is the hindrance or obstruction still in existence *YES/NO

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO

If YES, please give dates.

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO

If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? *YES/NO

If so, what was their relationship to you?

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(f) If you were employed by the owner/tenant

(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO

(ii) If so, what were your instructions?

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO

If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO YES NO

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO YES NO

(c) If YES to (a) or (b), please give details including dates.

.....
.....

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO YES NO

(b) If YES, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO YES NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *YES/NO YES NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO YES NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

.....

(a) Have you ever been given permission to use the way? *YES/NO
 (if so, by whom and for what purpose you asked for it)

(b) Have you ever asked permission to use the way? *YES/NO
 (if so, by whom and for what purpose you asked for it)

(c) Who gave you permission?

(d) Where were you given permission?

(e) For what purpose were you given permission to use the way?

(a) Have you seen other people using the way? YES/NO

(b) How were they using the way (ie foot, horse)? FOOT & HORSE

(c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? COMPANIONS

(d) If they were not accompanying you, were these people known to you? YES

(e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) SEASONALLY

(f) How many other people, approximately, did you see on these occasions? 3-4

(g) Please give any further details of other people's use of the way which you feel may be important FRIENDS,

17. Have you ever been charged a monetary sum for using the path? *YES/NO
 If so, by whom?

18. (a) Do you have any documentary evidence about the way? *YES/NO

(b) If so, in what form is this? ie maps, photos, etc please attach a copy if possible)

.....

(c) Would you be willing to make the original document available if necessary? *YES/NO

19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

WHEN FIRST STARTED USING IT, IT WAS ALOT
WIDER AND THE SURFACE ALOT BETTER. BUT
NOW BIKERS SEEM TO USE IT AS THERE IS A RUT
DOWN THE MIDDLE. THE HEDGES HAVE GOT WORSE
MORE OVERGROWN, MORE THISTLES THAT ARE
QUITE SHARP AND DIG IN WHEN ON HORSEBACK.
YOU GET CAUGHT UP IN THE BRAMBLES AND GET
RATHER WET WHETHER WALKING OR ON HORSEBACK

20. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

YES NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

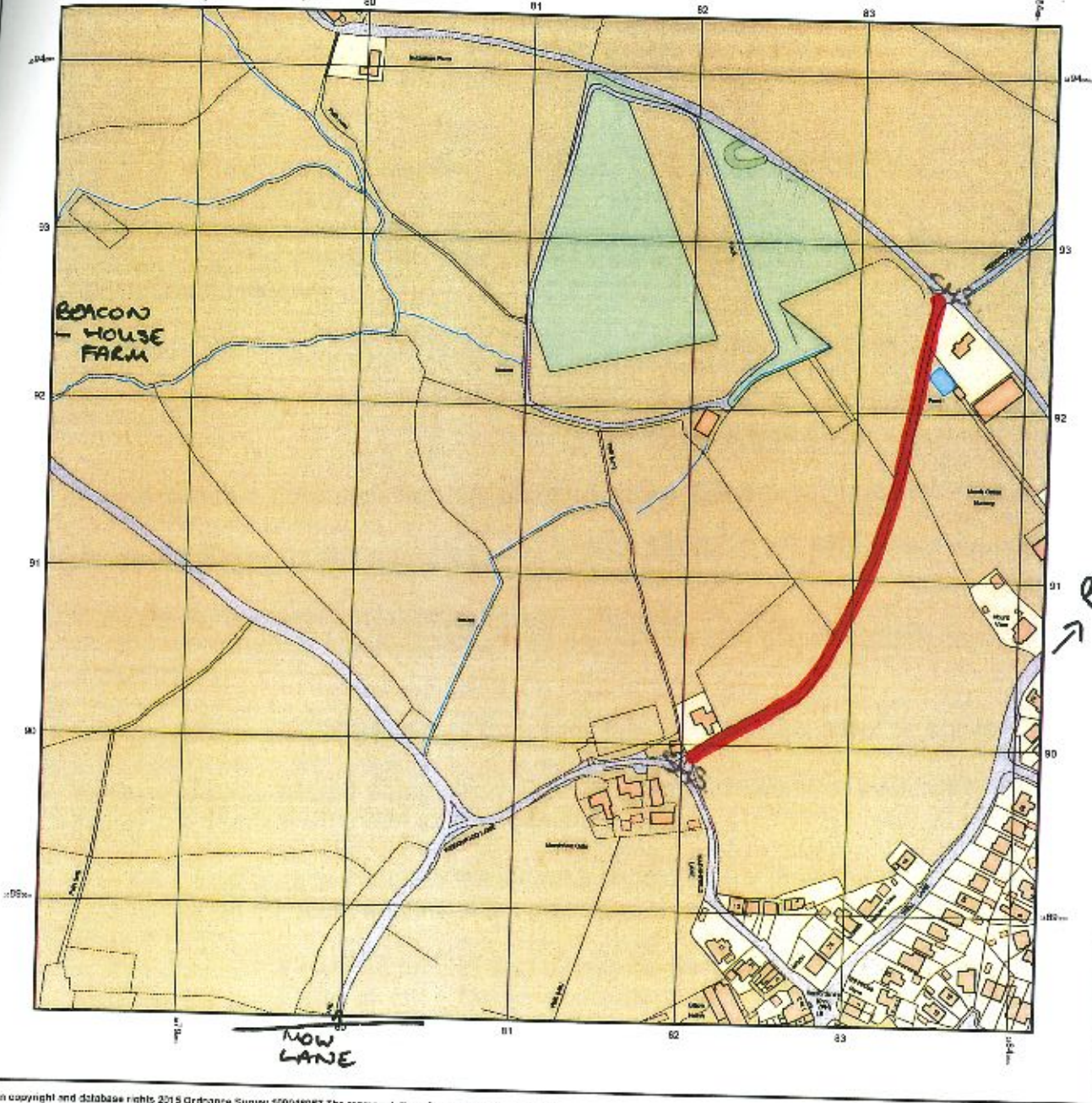
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: *S. Sidebottom*

Person taking this statement (if applicable)

Date: *1/9/15*

CONCLETON EDGE
← (TRACTOR GRAVEYARD)



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Production Date: 17/08/2015 15:05:19

THE ROUTE HIGHLIGHTED RED IS THE ROUTE I HAVE USED

SIGNED S. Sidlethorn Page 290
DATE 1/9/15

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM **Important Note**

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (~~Mr/Mrs~~/Miss/Ms)..... GAYNOR THWIGG.....
(Block Capitals please)

Please attach a map showing the claimed way marked in red, signed by yourself.

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, if possible giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)
From

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 20+
(b) Does the way have a popular name? Not that I was aware of
(c) Have you personally used the above way? YES/NO
(d) Did you only use part of the way? *YES/NO

Please do not use vague terms such as "often".

- (e) During which years have you used the way? From 1992 To 2003
(f) Where were you going from/to? HACKING OUT
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) SEASONAL
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK
(j) Is, or was, the way a short cut for you? OFF ROAD RIDING
(k) If so why?

(l) Please show on the attached plan the route of the way you have used.
If you have only used part of the way please mark or indicate the part used.

- (m) Do you still use the way? NO
(n) If not why not? NO LONGER RIDING

2. When using the path where did you live? AT MY HOME ADDRESS

If at different places please provide details and years.

3. (a) How wide is the way? WIDE ENOUGH TO RIDE THROUGH BUT CAN'T REMEMBER
(b) Is it the same width throughout its length? POSSIBLY NOT FROM WHAT I REMEMBER

4. If you have ridden a horse on the way
(a) Where did you keep the horse? BROWNLOW
(b) Where did you start and finish your ride? BROWNLOW
(c) Were you ever riding with the hunt when you used the way? NO

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way? *YES/NO
- (b) If YES, how often and what type of vehicle were they using? /
- (c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way? *YES/NO
- (d) If YES to (c),
- (i) How often was this? /
- (ii) What type of vehicle were you in? /
- (iii) For what purpose was it being used? /

6. (a) Has the way always been on the same route? *YES/NO
- (b) If NO, please describe the original route, state when the way was diverted and show details on a plan. /
- (c) Is the way a clearly defined track or path which a stranger to the vicinity could follow? /
- (d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? KEPT TO THE ROUTE

7. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO
- (b) Have there, to your knowledge, ever been any gates on the way? *YES/NO
- (c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom? /

Please mark on the attached plan the locations of the locked gates.

8. (a) Excluding locked gates, have you ever known of any other obstructions to the way? *YES/NO
- (b) If YES, state (i) what type of obstruction was this? /
- (ii) When they were erected or removed? /
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan. /

9. Has your usage ever been hindered or prevented in any way? *YES/NO
If so by whom or what?
When was this?
Have you continued to use the way despite hindrances or obstructions *YES/NO
How did you do this? (e.g. diversion)
Is the hindrance or obstruction still in existence *YES/NO

10. (a) Were you ever an owner or tenant of the land crossed by the way? *YES/NO
If YES, please give dates.
(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way? *YES/NO
If YES, please give dates.
(c) Was the land ever owned or tenanted by a relative of yours? *YES/NO
If so, what was their relationship to you?
(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *YES/NO
(e) If YES to (d),
(i) What was your employment?
(ii) Between what years were you employed?
(f) If you were employed by the owner/tenant
(i) Did you receive any instructions from the owner/tenant as to the use of the way by the public? *YES/NO
(ii) If so, what were your instructions?
(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? *YES/NO
If so, what was their relationship to you?

11. (a) Have you ever been stopped or turned back when using the way? *YES/NO YES NO

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? *YES/NO YES NO

(c) If YES to (a) or (b), please give details including dates.
.....
.....

12. (a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO YES NO

(b) If YES, please state:
(i) Who told you?
(ii) When you were told?
(iii) What were you told?

13. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? *YES/NO YES NO

(b) If YES, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *YES/NO

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? *CANT REMEMBER* *YES/NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? *YES/NO

(c) If YES to (a) or (b), please state what the notices or posts said and show their approximate position on the attached plan?

Have you ever been given permission to use the way?
(whether or not you asked for it)

*YES/NO YES NO

Have you ever asked permission to use the way?

*YES/NO

YES, who gave you permission?

When were you given permission?

For what purpose were you given permission to use the way?

(a) Have you seen other people using the way?

*YES/NO YES NO

(b) How were they using the way (ie foot, horse)? ... HORSE

(c) Were they accompanying you? If so, please give details. (ie companions, gambling club, family, etc)? ... SOME WERE, SOME WEREN'T

(d) If they were not accompanying you, were these people known to you? ... SOME WILL HAVE BEEN

(e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) ... SEASONAL

(f) How many other people, approximately, did you see on these occasions? ... DON'T REMEMBER

(g) Please give any further details of other people's use of the way which you feel may be important

17. Have you ever been charged a monetary sum for using the path?
If so, by whom?

*YES/NO YES NO

18. (a) Do you have any documentary evidence about the way?

*YES/NO YES NO

(b) If so, in what form is this? (ie maps, photos, etc please attach a copy if possible)

(c) Would you be willing to make the original document available if necessary?

*YES/NO


19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

20. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

YES/NO

Please note that this form may be available to members of the public including affected owners or occupiers of the land crossed by the way.

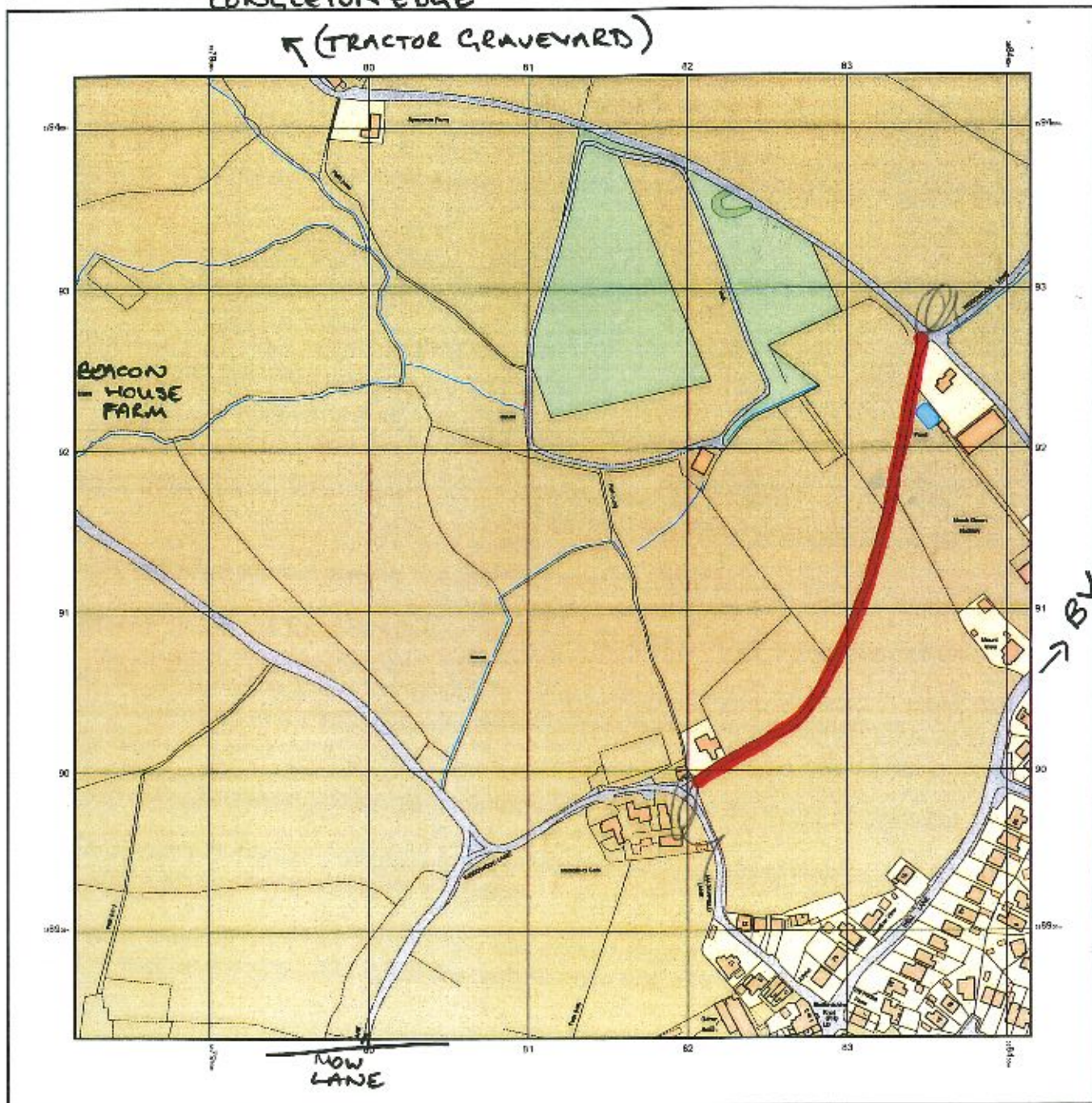
I certify that, to the best of my knowledge and belief, the information I have given to this statement is true.

Signature: 

Person taking this statement (if applicable)

Date: 1/9/15

CONGLETON EDGE
← (TRACTOR GRAVEYARD)



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THE ROUTE HIGHLIGHTED RED IS THE ROUTE I HAVE USED

SIGNED..... DATE.....

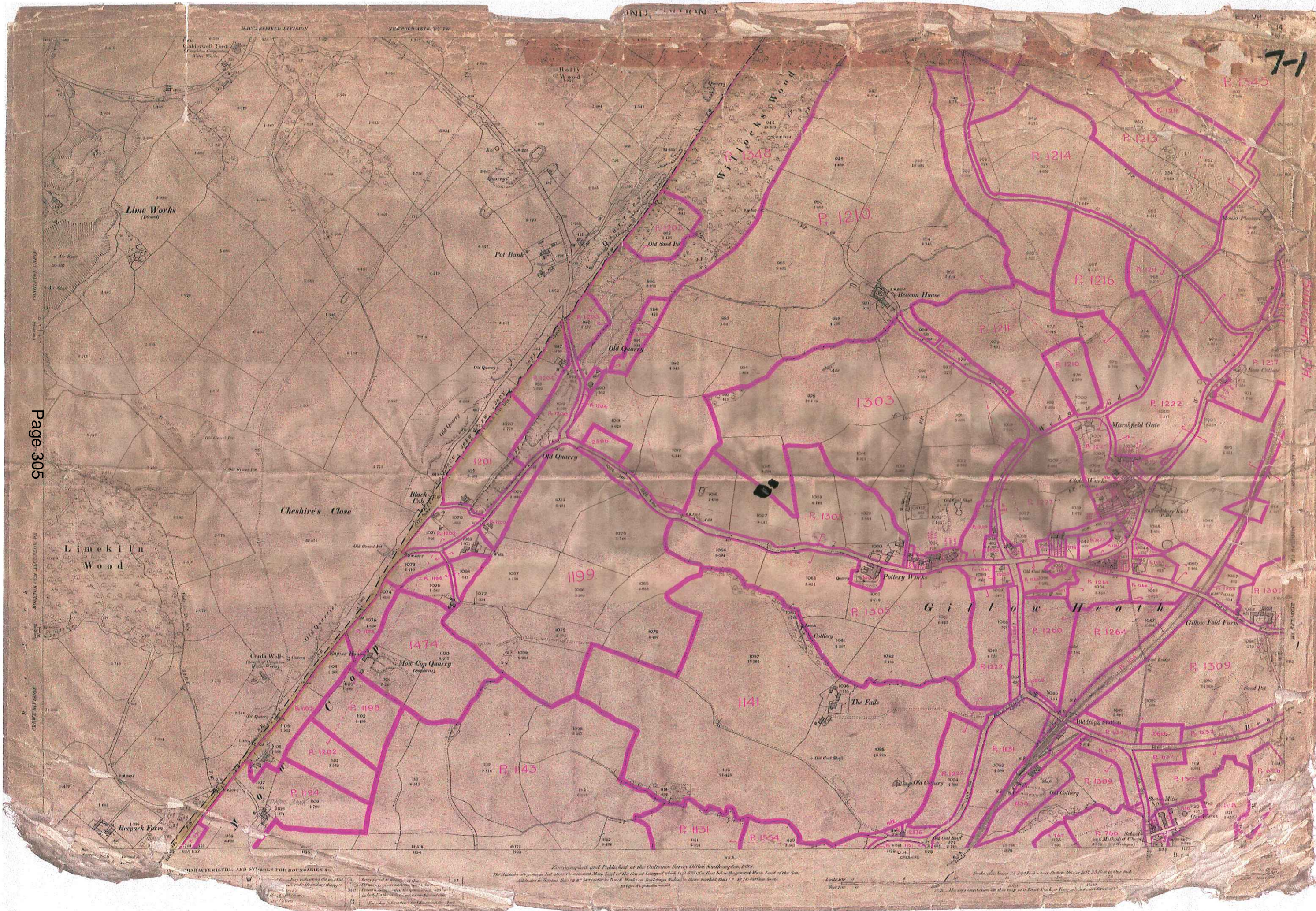
Gaynor Twigg
Page 299
DATE 1/9/15
GAYNORTWIGG

Name	Years Known	Years Used	Gates/Stiles	Frequency of Use	Width	Activity
Whiston	60 years	53 years (1961-2015)	No	Seasonally	3-4 metres	Horseback and Foot
Bostock	48 years	47 years (1968-2015)	No	Weekly	4-5 metres	Horseback and Foot and cycle
Bossen	41 years	41 years (1974-2015)	No	Daily weekly seasonally - regularly	3-4 metres	Horseback and Foot and cycle
Siddall	40 years	39 years (1975-2014)	No	Weekly and daily	8 feet	Horseback
Gallimore	40 years	30 years (1975-2005)	No	Not stated	1-2 metres	Horseback
Bennett	39 years	40 years (1976-2016)	No	Daily	2 metres	Horseback
Toomer	38 years	38 years (1977-2015)	No	6 times a year	4 metres	Horseback

Dale	35 years	35 years (1980-2015)	No	Weekly	7 feet	Horseback and foot
Morgan	32 years	26 years (1986-2015)	No	Weekly	2 metres but used to be wider	Horseback
Amies	21 years	21 years (1983-2004)	No	Intermittently	1.5 metres	Horseback
Cromarty	33 years	24 years (1982-2006)	No	Weekly	4 metres	Horseback
Garnsey	28 years	23 years (1986-2009)	No	Seasonally - weekly in summer	2-3 metres	Horseback
Marinkovic	20 years	No dates provided	No	No information	No information	Horseback
Moody	20 years	20 years (1995-2015)	No	Weekly	6 feet	Horseback
Meakin	18 years	18 years (1997 2015)	No	Bi monthly	Horse width	Horseback
Higgs	16 years	2 years (1999-2001)	No	Bank Holidays	No information	Horseback

Guerin	15 years	15 years (2000-2015)	No	Seasonally	Variable	Horseback
Atkinson	15 years	15 years (2000-2015)	No	Weekly	3-4 metres	Horseback and cycle
Andrews	15 years	15 years (2000-2015)	No but overgrown	Weekly	Horse width	Horseback
Jackson	15 years	15 years (2000-2015)	No	Monthly	Not sure	Horseback and foot
Stafford	15 years	15 years (2000-2015)	No	Weekly/monthly	6 feet	Horseback
Simpson	13 years	13 years (2002-2015)	No but rubble and stones on route	Monthly	2 metres	Horseback
Sidebotham	12 years	11 years (2004-2015)	No	Monthly	3-4 metres	Horseback
Twigg	20 + years	11 years (1992-2002)	No	Seasonally	Wide enough to ride through	Horseback

On foot evidence does not support claim for bridleway but it does go some way to evidencing that a public highway does exist. Bicycle evidence does not support the bridleway claim as although bicycles can be used on a bridleway their evidence is not sufficient user evidence to satisfy the statutory test under section 31.



THE BIDDULPH/GILLOW HEATH INCLOSURE AWARD 1841

A visit to the Staffordshire records office to view the Inclosure Award & Map for Gillow Heath, showed that Wedgewood Lane started at Mow Lane and continued on past Marsh Gate and Lot 34. Lot 34 was described as being bounded by a "Carriage Road", thus making a case for this being a public road. No distinction is made between the part of Wedgewood Lane at its junction with Mow Lane and its continuation past Marsh Gate, however it is not shown for its whole length, merely shown "open ended " indicating its continuation.

There are marks by Lot 49 showing the junction with Hill Lane (Public BP 79), these have been circled in green as it would be easy to confuse the location of this junction with the footpath from Marsh Gate. This is an indicator that Hill Lane was also in existence but as this Inclosure Award was not in this case concerned with the creation of roads, there was no need to show detail of any that were not of importance for the award. There must have been a previous award at some stage as the 1841 award shows "OLD INCLOSURES" surrounding Wedgewood Lane.

INTENT

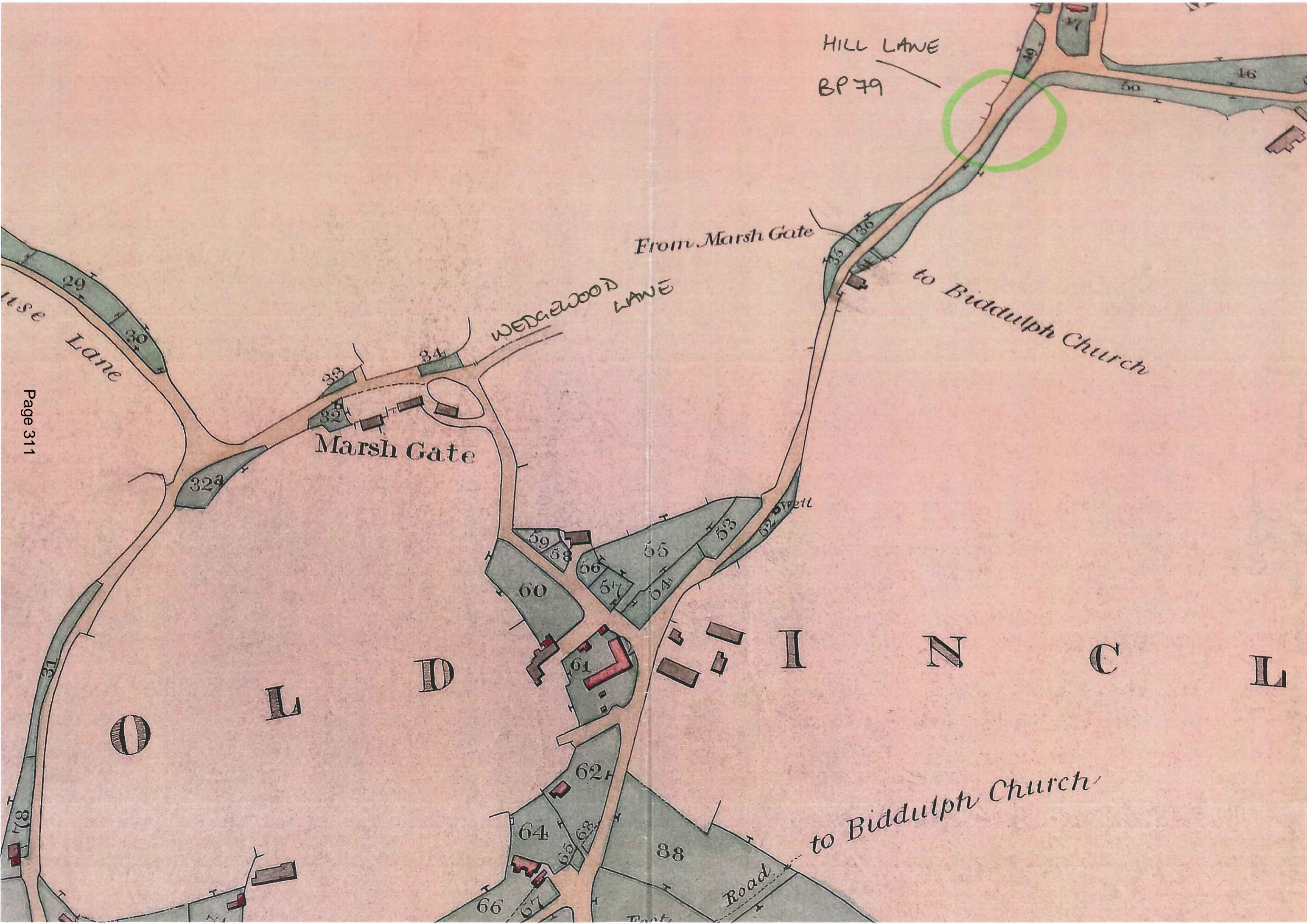
NO STATEMENT OF THE
CONNECTION BETWEEN THE
MILLOW AND THE GREENS.

CRABTREE GREENS Co.

REFERRED TO IN THE ANNEXED

A Y A B D.

1841.



HILL LANE
BP 79

From Marsh Gate

to Biddulph Church

WEDGEWOOD LANE

Marsh Gate

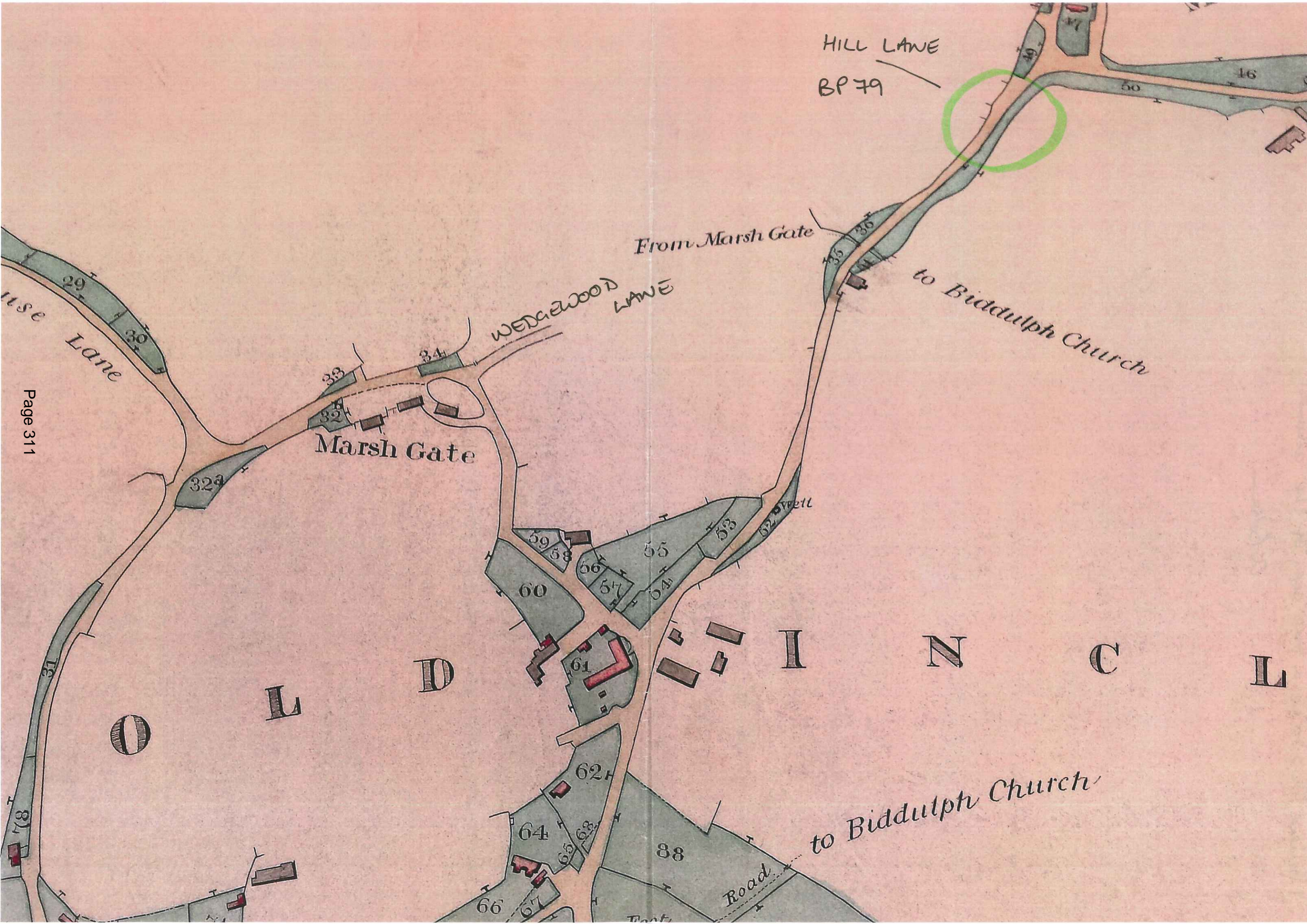
use Lane

Page 311

O
B I D D U L P H

to Biddulph Church

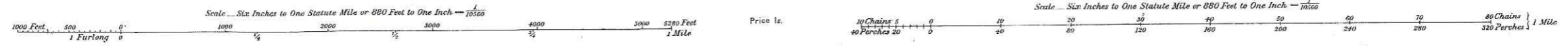
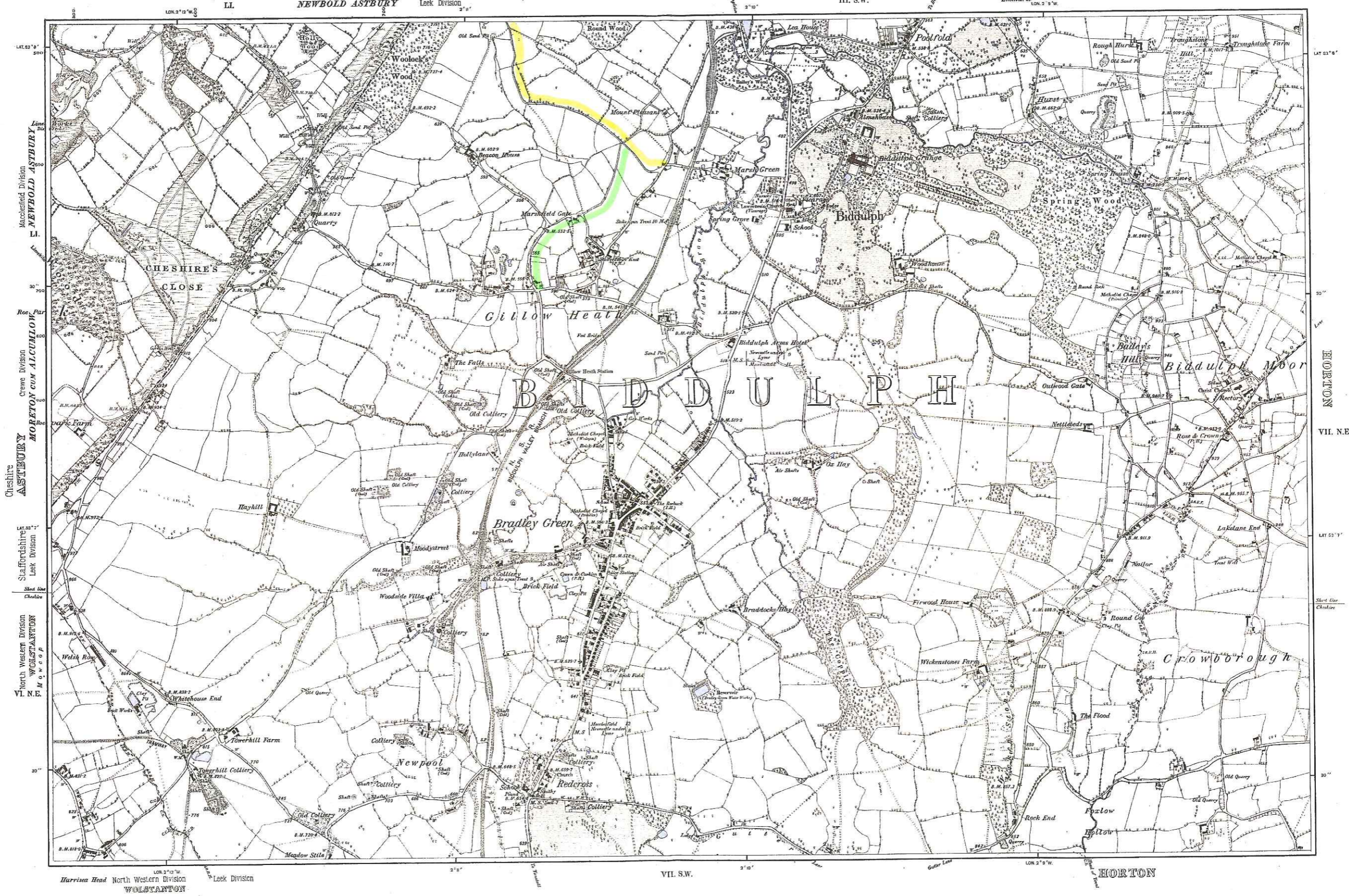
Road



I believe this to be a true copy of the original
Page 312
A. Soler

The Ordnance Survey six-inch to the mile (or 1:10,560) County Series is the most detailed topographic mapping that covers all of England and Wales from the 1840s to the 1950s. It was revised for the whole country twice between 1842-1893 and between 1891-1914, and then updated regularly for urban or rapidly changing areas from 1914 to the 1940s.

The maps are valuable for local history, allowing most features in the landscape to be shown. The more detailed 25 inch to the mile (or 1:2,500) maps allow specific features to be seen more clearly in urban areas, as well as greater detail for buildings and railways. However, most topographic features on the 25 inch to the mile maps are in fact also shown on the six-inch to the mile maps. The 25 inch to the mile map for Gillow Heath is not available to my knowledge. The First Edition 6" OS map of Gillow Heath was marked as published at the Ordnance Survey Office Southampton in 1899, having been surveyed in 1873 – 75 and 78. It shows Wedgewood Lane as a continuous road from Mow Lane to its junction with Hill Lane (Public Bridleway 79). From the positioning of the symbols along the roadside, it would appear to be hedged along its whole length, however, these may have referred to individual trees. Section 1 and Section 2 of Wedgewood Lane are of similar specification and are also marked in exactly the same manner as Hill Lane (BW79) and other roads.



Published at the Ordnance Survey Office, Southampton.

1889

The Altitudes are given in feet above the Approximate Mean Water at Liverpool, those indicated thus (B.M. 547) refer to Marks made on Buildings, Walls, &c.
All rights of reproduction reserved

Staf. Sheet. VII.
Ches. (Part of)

NE
SW

HILL LANE (PUBLIC BUS 7A)

WEDGEWOOD LANE

I believe this to be a true copy of the original
Pages 81B
A. S. S. S.

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Questionnaire to be completed by the owner/occupier of land over which there is an alleged public right of way.

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness (*Mr/Mrs/Miss/Ms) MRS. M.E. SIDDORN
(Block Capitals please)

Address 34, HOW LAWE, GILLOW HEATH, STAFFS
(Block Capitals please)

Post Code: ST8 6PP Telephone No. 01782 - 54917

Date of Birth 21/12/46 Occupation RETIRED

Guidance Notes on the completion of Public Rights of Way Evidence Forms

1. As far as possible the owner/occupier should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Please answer all questions fully with as much detail as possible.
3. Please indicate on attached map the extent of your ownership/tenancy or other interest in the land affected by the alleged public right of way.
4. Please indicate whether you are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross-examination).
5. If a person would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
6. The information given on this form may become available for public inspection.

* Please delete as appropriate

PLEASE TAKE TIME TO ANSWER THE QUESTIONS CAREFULLY AND IN FULL

1. Do you own or occupy or have any interest in any of the land affected by the proposal or adjacent to it? *YES/NO

If the answer is YES please answer questions 2 to 14 and indicate on the attached map the extent of your ownership or tenancy, or interest in the land.

If the answer is NO, please, if possible, advise the names and addresses of the landowners/occupiers.

2. Have you received a Notice of Application for a Modification Order? *YES/NO

3. Would you be willing to allow County Council officers to make a site inspection? *YES/NO

4. (a) Do you consider the route to be public? *YES/NO

(b) If YES what description best describes the route? (please delete those inappropriate)

(i) *Footpath (i.e. for pedestrians only).

(ii) *Bridleway (i.e. for horse riders, cyclists and pedestrians)

(iii) *Byway open to all traffic (open to all traffic)

5. How long have you had an interest in the land affected by the application?6..... Years

6. Please state the nature of your interest in the land over which the alleged public right of way is claimed.

Freehold Ownership. Are you:--

(a) Sole freehold owner?.....

(b) A joint tenant?.....

If so with whom?.....

(c) A tenant in common?.....

If so with whom?.....

(d) A tenant for life under the Settled Land Act?.....

If so with whom?.....

Tenancies and Leases

Are you a tenant or lessee of the land?.....

If so please state the nature of your interest as tenant or lessee of the land.....

Any Other Interest in or over the affected land (e.g. a private right of way)

7. Have you, or any previous owner/tenant of the land, ever erected any signs such as "Private", "Keep Out" or "Trespassers will be prosecuted" or similar signs on or near the alleged public right of way?

*YES/NO

If YES please state:-

(a) When were these signs erected?.....

(b) What did these signs say?.....

(c) Are these signs still in place?.....

(d) Where are these signs located?.....

Please indicate location on attached map.

8. (a) Have you seen people using the way?

*YES/NO

(b) How were they using the way (ie foot, horse)? *Foot + Horse*

(c) Were they alone or accompanied Please give details. (ie companions, rambling club, family, etc)? *Alone*

(d) Were these people known to you? *No*

(e) How frequently did you see other people using the way? (ie ~~daily~~, ~~weekly~~, seasonal etc).

(f) How many other people, approximately, did you see on these occasions? *ONE*

(g) Please give any further details of other people's use of the way which you feel may be important.

9. Have you ever given anybody permission to use the route?

*YES/NO

If YES please state:-

(a) When was this?.....

(b) To whom was it given?.....

(c) Why was it given?.....

10. (a) Have there, to your knowledge, ever been any stiles on the way? *YES/NO

(b) Have there, to your knowledge, ever been any gates on the way? *YES/NO

(c) If YES, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.

(d) If any gates on the way were ever locked please state, how often, and if known, by whom?

Please mark on the attached plan the locations of the locked gates.

11. (a) Excluding locked gates, have you (or any previous owner or occupier) ever known of any other obstructions to the way? *YES/NO

(b) If YES, state :

(i) what type of obstruction was this?

(ii) When they were erected or removed?

(c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.
.....

(d) If you have a private right of way how has this been exercised while the alleged public route has been obstructed.
.....

12. (a) Have you ever stopped or "turned back" anyone found using the route? *YES/NO

If YES please give details

13. Have you ever taken any other steps to prevent the presumed dedication of this route as a public right of way? *YES/NO.

If YES please give full details.....

NOTE --- Section 31(1) of the Highways Act 1980 states that: --

"Where a way over any land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as of right and without interruption for a full period of 20 years, the way is deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it."

14. Do you have any documents which show this as a private right of way or giving details of its closure?

~~YES~~/NO

If YES: --

(a) In what form is this?.....

(i.e. maps, photos, deeds, etc. please attach a copy if possible)

(b) Would you be willing to make the original document available if necessary? *YES/NO

15. Would you be prepared to give evidence on this matter at a public inquiry or in a court of law, if necessary?

~~YES~~/NO

16. Can you give any further information about the alleged route? (continue on a separate sheet of paper if necessary).

~~YES~~/NO



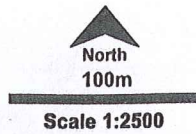
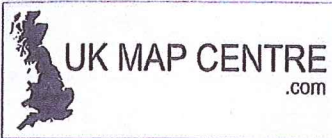
I certify that, to the best of my knowledge and belief, the information I have given in this statement is true.

Signature M.E. Siddorn

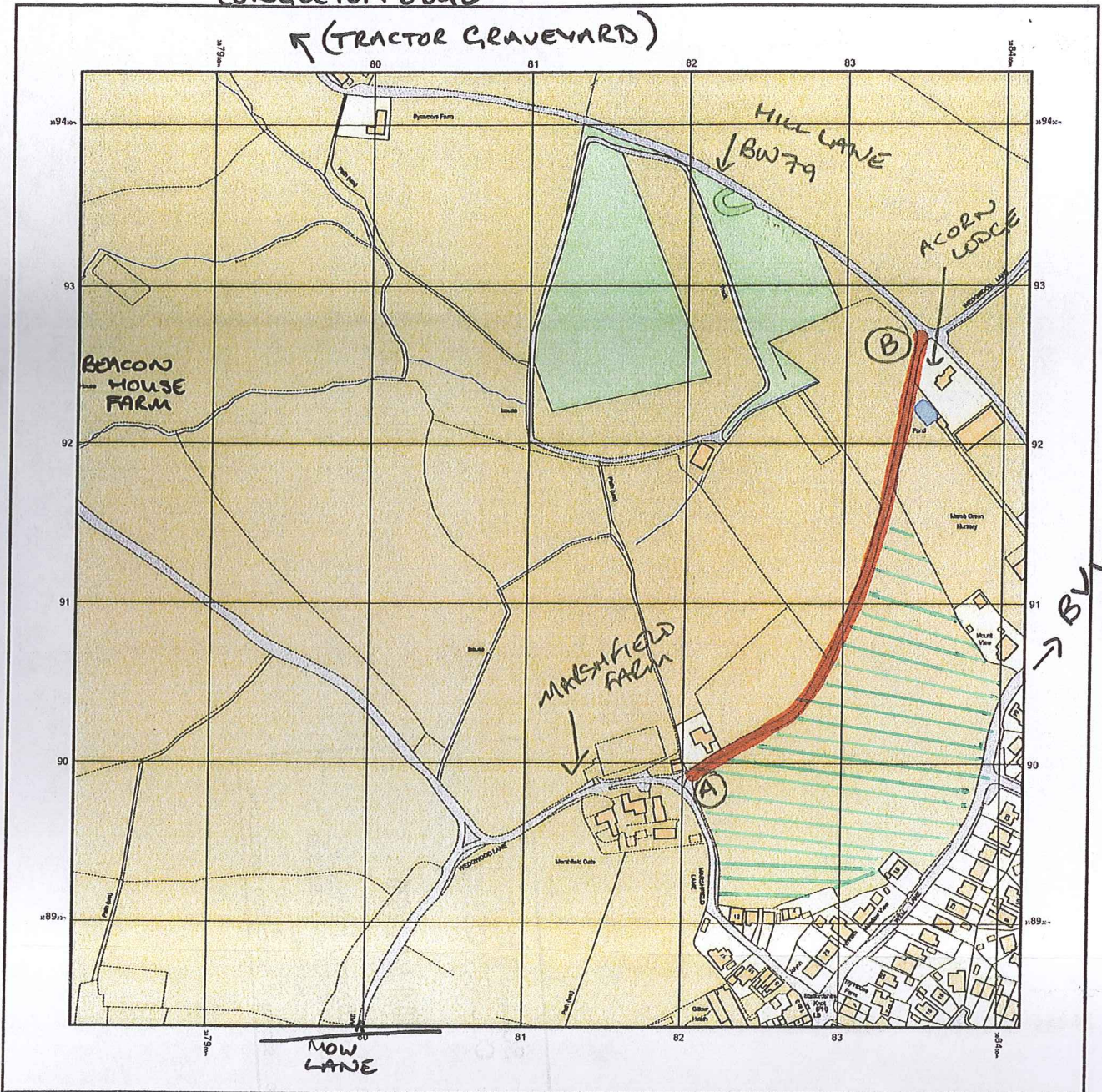
Person taking this statement (if applicable).....

Date 3/03/16

* Please delete as appropriate



CONGLETON EDGE
 ↖ (TRACTOR GRAVEYARD)



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LAND OWNED BY MRS. M.E. SIDDORN
 34 MOW LANE
 GILLOW HEATH
 STOKE-ON-TRENT
 ST8 6PP
 WE

THE ROUTE HIGHLIGHTED RED IS THE ROUTE I HAVE USED AND CLAIM AS BRIDLEWAY (A → B)

SIGNED..... A. Robson DATE 15/1/16
 PP. BORDER BRIDLEWAYS ASSOCIATION

<i>'Local Members' Interest</i>	
Cllr Alan White	Lichfield Rural East

Countryside and Rights of Way Panel – 7 August 2020

Wildlife and Countryside act 1981

Application for an Alleged Public Footpath Between Chestnut Lane and Coneyberry Stile, Clifton Campville

Report of Director of Corporate Services

Recommendation

1. That the evidence submitted by the applicant at Appendix A is sufficient to show that a Public Footpath which is not shown on the Definitive Map and Statement subsists along the route marked A to B on the plan attached at Appendix B to this report and should be added to the Definitive Map and Statement of Public Rights of Way as such.
2. That an Order should be made to add the alleged right of way shown on the plan attached at Appendix B and marked A to B to the Definitive Map and Statement of Public Rights of Way for the District of Lichfield with a minimum width of 1 metre.

PART A

Why is it coming here – What decision is required?

1. Staffordshire County Council is the authority responsible for maintaining the Definitive Map and Statement of Public Rights of Way as laid out in section 53 of the Wildlife and Countryside Act 1981 (“the 1981 Act”). Determination of applications made under the Act to modify the Definitive Map and Statement of Public Rights of Way, falls within the terms of reference of the Countryside and Rights of Way Panel of the County Council’s Regulatory Committee (“the Panel”). The Panel is acting in a quasi-judicial capacity when determining these matters and must only consider the facts, the evidence, the law and the relevant legal tests. All other issues and concerns must be disregarded.
2. To consider an application attached at Appendix A made by Rita Salt of the local Residents Association for an order to modify the Definitive Map and Statement for the area by adding an alleged public footpath from Chestnut Lane to Coneyberry Stile, Clifton Campville under the provisions of Section 53(3) of the Wildlife and Countryside Act 1981. The line of the alleged Public Footpath as claimed by the applicant is shown on the plan attached at Appendix B.
3. To decide, having regard to and having considered the Application and all the available evidence, and after applying the relevant legal tests, whether to accept or reject the application.

Evidence Submitted by the Applicant

1. The route applied for is shown between points A-B on the plan attached at Appendix B between Chestnut Lane and Coneyberry Stile, Clifton Campville.

2. In support of the application the applicant Mrs Rita Salt on behalf of the local Residents Association submitted 16 user evidence forms. The evidence forms they completed are attached to this report at Appendix C.
3. A summary of the salient points from the user evidence forms has been compiled in a table. This is attached at Appendix D.
4. For the application to be successful, it will have to be shown that the public have used the alleged route, as of right and without interruption, for a period of at least 20 years prior to the status of the route being brought into question, or that it can be inferred by the landowner's conduct that he had actually dedicated the route as a public right of way, and the right of way had been accepted by the public.
5. In order for the right of the public to have been brought into question, the right must be challenged by some means sufficient to bring it home to the public that their right to use the way is being challenged.
6. There was an identifiable challenge to the public's use of the claimed route in April 1993 when new signage was erected on the land and a new occupier verbally challenged its use. Accordingly, the requisite 20-year period of use should be calculated retrospectively from this date.
7. The 16 user evidence forms were completed between July-August 1993 and the application was submitted in November 1993. Consequently, the period 1973-1993 is the relevant 20-year time frame within which the users seek to demonstrate use. An examination of the forms shows that users used the path until 1993 and that their evidence continues up to that time.
8. An examination of the forms shows that all 16 users have known the path for a period of over 20 years. Of these 11 users claim to have used the path throughout the relevant 20-year period. These are Mrs Green, Mrs Cuffe, Mr Mander, Mr Purchase, Mrs R Salt, Mr Littleford, Mrs Richardson, E Quartermaine, Mrs Whorwood, Mr Bartlam and Mrs Hinds.
9. Two users Mrs Dunn and Mrs Mc Dermot who used the path between 1985-1993 and 1977-1993 respectively do not have the required 20-year period of usage although Mrs Dunn claimed to have known of the path's existence for 29 years.
10. Further examination of the forms shows that of the 16 submitted, 8 state there are stiles or gates on the path, where stated this is recorded to be at the point the path enters the churchyard. No users refer to any locked gates and the gate is referred to as a kissing gate.
11. All 16 users state they have used the path on foot.
12. The width of the route appears to be very consistent among the 13 users who give a minimum width in their evidence forms. Of these 13 given widths, 8 state the path to have a minimum width of 2 feet, 2 state a minimum width of approximately 2 and a half feet, one records a width of 1 and a half feet and one states, "the width of a footpath". If the latter is taken to be the standard minimum width of a definitive right of way (1 meter) then this also exceeds 2 feet. The final given width in the user evidence forms states 1 yard and this is equivalent to 3 feet. With an overall range therefore of 1.5 – 3.0 feet the majority of users – 8 out of 13 – stated a given minimum width of 2 feet.
13. Two users refer to permissions being granted to them for use of the path, one Mr Bartlam stated a previous tenant, a Mr Briscoe, had given him permission to use the path – but he had since died. Mrs Green also stated that "as a child we were given permission by the Rector to use the footpaths as the rights of a villager.

14. Mrs Rita Salt (the Applicant) stated she had used the path between 1967-1993 for pleasure purposes, twice daily on foot. She states that she has always believed the path is a right of way as both parents and teachers used it when taking them for walks. Stating "I now walk these paths twice daily with my dog and have done so for the past 26 years and until April of this year (1993) I have never been stopped."
15. The Applicant states that in addition to the 16 users who submitted completed forms there are an additional "12 people who walk the paths daily but have only been in village between 2-14 years. They have not been stopped until April of this year".
16. Mrs V.F.Mc. Dermott stated in her user evidence form that she had never been challenged on the path "until recently" (April 1993), when she was "aggressively told not to stop or talk on the path". She also stated that her daughter "was harassed whilst talking to some other villagers on the path".
17. Mr.K.J. Bartlam stated that he had been challenged by "the woman who now rents the field for her horses, but only in the last 6 months".
18. Mrs C.A. Green stated that only within the last few months had "anyone been told not to go across this way". This land has always been walked by village people. This land has always been grassland and as a child along with all the other children of the village in the 1940's and 1950's we would use this land as common land to play on when we lost our playing field in 1947".
19. Mrs W.A. Littleford stated that "there have never been any notices until just recently."
20. Mrs Joyce Duggins stated she has always lived in Clifton and had "used the footpath for a good many years" adding in 1993 that the use had been "more frequent in the last three years". However, that she had been chased by horses in the appropriate field".
21. Two users stated use above 70 years. The first user aged 81 years of age claimed she had used the route for 76 years since age of 5 years. The second user aged 79 years claimed she had used the route for 74 years since age of 5 years. Both users state the usage was regular to visit or take flowers to the church.
22. Miss Dorothy Salt stated to have walked the route from 1958-1994 and had been "taken for walks by parents, and school nature walks and assumes a right of way was given many years ago".
23. Mrs C Hinds in a letter to Staffordshire County Council stated that she had "walked that particular path referred to above, without (legitimate) hinderance and indeed continue to do so." She highlighted work carried out along the route of the footpath by the Conyberry Millennium Green Trust which had been "left intact and not ploughed up". A copy of the letter is attached at Appendix E.

Evidence Submitted by the Landowner/s

24. When the application was submitted, the applicant revealed two landowners for the whole of the land over which the application route runs.
25. The landowners identified by the applicant were Mr P J Afford of "Cobwebs" Lichfield Road, Tamworth and the Rev A Solomon of St Andrews Rectory, Clifton Campville.

26. Mr Peter John Afford the freehold owner as Trustee (since June 1976) stated that he did not know if previous landowners from 1973 (the start of the relevant 20-year period) to 1976 had erected signage on the land.
27. P J Afford also stated that it had “not been practical” to take steps to prevent the public’s access to the land adding that “field gates are locked”.
28. P J Afford stated that he had “redirected” people using the path “as and when” he had been present. The redirection of people was the only step he had taken to prevent the presumed dedication of the path as a public right of way. A copy of the response is attached at Appendix F.

Comments Received From Statutory Consultees

29. Clifton Campville With Thorpe Constantine Parish Council on receipt of the application had no objections to the path running along the side of the field of Chestnut Lane, however, were concerned that a path running through the middle of the field from Coneyberry stile would perhaps at a later date cause problems. Mrs K Grubb, Clerk of the Parish Council stated the reason for this being that the Parish Council were trying to rent the field from the landowners as a recreational area with dog free areas for children to play safely and if a path were running through the middle of the field it “would not make a recreational area viable for all members of the parish to enjoy.” A copy of the response is attached at Appendix G.
30. Whilst responses were received from various other organisations none presented any evidence or had any comments that would support or rebut the application.

Comments on Evidence

31. Section 31 of the Highways Act 1980 sets out the test that must be satisfied under statute for a way to become a public highway through usage by the public.
32. In 1932 the Rights of Way Act introduced the statutory presumption of dedication by the landowner of a public right of way which could be proven by evidence of 20 years usage as of right and without interruption. This presumption could be rebutted by the landowner proving that he had no such intention. However, the onus is on the landowner to do so. The land that the path crosses is not of a character that would prevent the dedication of a way.
33. It is clear from the available user evidence that that there have been no interruptions to their use over the relevant 20-year period. The application was made as a consequence of a challenge that was made in 1993 to members of the public using the way. There were no previous challenges. Nor have any of the users used force or sought permission to use the route and that usage has been open and not hidden from view.
34. From the attached user map evidence, the path used by all the users is on the same line and there is no indication that they have deviated from this line. The evidence forms do not support any contention that the users are drawn from a particular section of society or that use is limited to members of a particular area. While it is usual for evidence to come from people who live in a locality there is nothing to suggest that this is a prerequisite for use in this instance – although

several users do refer to using the route to visit the churchyard, post office or shops.

35. The statutory test refers to use over 20 years and in the evidence submitted there are 11 users who have used the path throughout that specific period of time. Of the remaining 5 users, 2 cannot demonstrate use of any 20-year period although claim to have known of the route for over 20 years. The other 3 users do not state which specific years they used the path.
36. Neither the legislation nor the applicable case law set out a minimum level of user that is expected or required to support a claim that a route exists. The case law does suggest that the amount of usage should be such that it is enough to bring home to a reasonable landowner that the public are using a way and that use is as if it was a public highway, ie. "as of right". This was affirmed by the Court of Appeal in *R v Redcar and Cleveland* (2010) 2 All ER 613 where it was said that it must be brought home to a landowner that a right is being asserted across his land. This is true even where the owner is absent or cannot be identified. It is how the matter would appear to a reasonable landowner who was present.
37. The amount of user evidence that spans the relevant period of 20 years is over half of the amount of submitted users. This could be considered sufficient to bring that use home to a landowner.
38. Of the 16 users a total of 5 claimed to have used the path on a daily basis. A further 5 claimed to have used the path at least once per week and one user claimed a usage of once per month. The remaining usage was so infrequent as to pass notice. Again, however the frequency of use – often on a daily basis – could be considered significant enough to have brought itself to the landowner's attention.
39. A number of users, 7 in total – refer to either a stile, gate or both being present on the route. However, 9 of the users do not mention any gates at all. Why there is this discrepancy in the evidence is unclear, it may be that those persons who failed to mention them did not consider them to be an obstacle obstruction. It is clear from the user evidence that any gates that do exist have not been placed there by an owner to prevent or hinder use.
40. The core period of usage appears to be between 1967-87 with most users accessing the path over this period of time, however counting back from 1993, the year of challenge, there is also a continuous 20- year period of use, 1973-1993. In this case the relevant period will be from 1973-1993.
41. The fact that one user evidence statement stated that the local reverend once gave permission to use the path "as the rights of a villager" most probably refers to the use of the gate in the boundary wall/fence of the churchyard. This is supported by the fact that Mr P J Afford states he is the only landowner concerned.
42. All user evidence forms are consistent in that use was only challenged on the footpath in 1993 when a new tenant arrived on the land in question.
43. All user evidence forms are consistent in that any notices attested to by the landowner were only erected in 1993 when a new tenant arrived on the land in question.
44. Given the strength of reaction noted in the user evidence form at the point at which the footpath was challenged in 1993 and the fact nothing was raised prior to 1993 suggests the path was being regularly used by a significant number of users.

45. It was the tenant or occupier that appears to have challenged use of the path in 1993 and not the landowner direct. There is no evidence to say whether this “challenge” was also the view of, or with the approval of, the landowner or whether the tenant/occupier was acting independently. However, there is also no evidence to the contrary from the landowner and so it can be reasonably assumed that the landowner was in agreement with the tenant with regard to the challenge.

Comments on All Available Material

46. There is no evidence that we are aware of which would support any higher rights than those applied for.
47. The material when taken together appears to be consistent. Added to this is the landowners evidence supports the evidence provided by the users in that people were using the claimed route.

Burden and Standard of Proof

48. With regard to the status of the route, the burden is on the applicant to show, that on the balance of probabilities, that it is more likely than not, the way subsists. The existing situation must remain unless and until the Panel is of the view that the Definitive Map and Statement should be amended. If the evidence is evenly balanced, then the existing Definitive Map and Statement prevails.
49. The question also is whether a reasonable person could reasonably allege a right of way exists having considered all the relevant evidence available to the Council. The evidence necessary to establish a right of way which is “reasonably alleged to subsist” over land must be less than that which is necessary to establish the right of way “does subsist”.
50. If a conclusion is reached that either test is satisfied, then the Definitive Map and Statement should be modified.

Summary

51. The application is made under Section 53(2) of the 1981 Act, relying on the occurrence of the event specified in 53(3)(b) of the Act.
52. The relevant statutory provision, in relation to the dedication of a public right of way, is found in Section 31 of the Highways Act 1980 (“the 1980 Act”) which sets out the requirements for both the statutory test and common law dedication.
53. The test requires consideration of whether there has been use of a way by the public, as of right without interruption, for a period of twenty years prior to its status being brought into question and , if so whether there is evidence that any landowner demonstrated a lack of intention during this period to dedicate a public right of way.
54. Before a presumption of dedication can be raised under statute, Section 31 of the 1980 Act requires that a way must be shown to have been actually used by

the public, as of right and without interruption, and for this use to have continued for a period of twenty years. In this case, the view taken was the status of the route was brought into question in 1993.

55. Therefore, it needs to be demonstrated that there was public use for 20 years prior to the challenge being made and use between 1973 to 1993 is taken to satisfy the first part of the statutory test. In total 11 out of the 16 users have over 20 years recorded usage that covers the relevant 20-year period. This is over half of all users and therefore significant enough to have alerted the landowner to its use.
56. Turning to the question of dedication or the lack of it the issue of what constitutes lack of intention to dedicate was discussed in the Godmanchester case where Lord Hoffman said *"It should be first noted that section 31(1) does not require the tribunal of fact simply to be satisfied that there was no intention to dedicate. As I have said there would seldom be any difficulty in satisfying such a requirement without any evidence at all. It requires "sufficient evidence" that there was no such intention. In other words, the evidence must be inconsistent with an intention to dedicate. That seems to me to contemplate evidence of objective acts, existing and perceptible outside the landowner's consciousness rather than simply proof of a state of mind. And once one introduces that element of objectivity (which was the position favoured by Sullivan J in Billson's case) it is an easy step to say that, in the context, the objective acts must be perceptible by the relevant audience."*
57. When one considers this test, which is objective in its nature, then it is clear from the available evidence that there is nothing to substantiate a case that there was a lack of intention to dedicate. Until the challenge no owner had taken any steps whatsoever.
58. If the test in the first part of Section 31 is considered as to whether the way subsists and the balance of probabilities, the courts have indicated that this can be satisfied by considering whether it is more probable, or more likely than not. As Lord Denning in the case of Miller said, "If the evidence is such that the tribunal can say 'we think it more probable than not' the burden is discharged, but if the probabilities are equal it is not".
59. In this instance your officers consider that the use is sufficient to satisfy the statutory test set out in s31 when considered on the balance of probabilities.
60. An implication of dedication may also be shown at common law level if there is evidence from which it may be inferred that a landowner has dedicated a right of way and that the public has accepted the dedication. Evidence of the use of a way by the public, as of right, may support an inference of dedication, and may also be evidence of the acceptance of a dedication by the public.
61. For clarification all points appear to be satisfied in this case, there is a "way over land", the character of the land does not prohibit use by statute, it has been enjoyed by the public, and in sufficient numbers over a sufficient period of time. It has been used without force, secrecy and permission. It could be said that a common law dedication may have taken place.

Conclusion

62. In light of the evidence, as set out above, it is your Officers opinion that the evidence does show that on the balance of probabilities a public right of way subsists.
63. It is the opinion of your officers that the County Council should make a Modification Order to add the public footpath which is the subject of this application to the Definitive Map and Statement of Public Rights of Way for the District of Lichfield with a minimum width of 1 metre.

Recommended Option

64. To accept the application based upon the reasons contained in the report and outlined above.

Other Options Available

65. To decide to reject the application and not to make an Order to add the route to the Definitive Map and Statement of Public Rights of Way.

Legal Implications

66. The legal implications are contained within the report.

Resource and Financial Implications

67. The cost of determining applications are met from existing provisions.
68. There are, however, additional resource and financial implications if decisions of the Registration Authority are challenged by way of appeal to the Secretary of state for Environment, Food and Rural Affairs or a further appeal to the High Court for Judicial Review

Risk Implications

69. In the event of the Council making an Order any person may object to that Order and if such objections are not withdrawn the matter is referred to the Secretary of State for Environment under Schedule 14 of the 1981 Act. The Secretary of State would appoint an Inspector to consider the matter afresh, including any representations or previously unconsidered evidence.
70. The Secretary of State may uphold the Council's decision and confirm the Order however there is always a risk that an Inspector may decide that the County Council should not have made the Order and decide not to confirm it. If the Secretary of State upholds the Council's decision and confirms the Order, it may still be challenged by way of Judicial Review in the High Court.
71. Should the Council decide not to make an Order the applicants may appeal that decision under Schedule 14 of the 1981 Act to the Secretary of State who will

follow a similar process to that outlined above. After consideration by an Inspector the County Council could be directed to make an Order.

72. If the Panel makes its decision based upon the facts, the applicable law and applies the relevant legal tests the risk of a challenge to any decision being successful, or being made, are lessened. There are no additional risk implications.

Equal Opportunity Implications

73. There are no direct equality implications arising from this report.

J Tradewell
Director of Corporate Services
Report Author: David Adkins
Ext: 276187
Background File: LC615G

INDEX TO APPENDICES

Appendix A	Copy of Application
Appendix B	Plan of claimed route
Appendix C	User Evidence Forms
Appendix D	Summary of User Evidence
Appendix E	Supporting letter
Appendix F	Landowners Responses
Appendix G	Statutory Consultee Response

FORM OF APPLICATION FOR MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

Definitive Map and Statement - Staffordshire County Council

District of LICHFIELD

Parish of CLIFTON CAMPVILLE

To: Staffordshire County Council
PO Box 11
County Buildings
Stafford
ST16 2LH

I/We THE RESIDENTS

of CLIFTON CAMPVILLE TAMWORTH

..... STAFFS.

hereby apply for an order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the definitive map and statement for the area by

~~*deleting the (footpath)(bridleway)(byway open to all traffic)~~
from

~~*adding the (footpath)(bridleway)(byway open to all traffic)~~
from CHURCH KISSING GATE to CHESTNUT LANE AND

CHURCH KISSING GATE ACROSS GLEAB CUNEBERRY STILE
~~*(upgrading)(downgrading) to a (footpath)(bridleway)(byway open to all traffic)~~

~~the (footpath)(bridleway)(byway open to all traffic)~~
from

~~*(varying)(adding to) the particulars relating to the (footpath)(bridleway)~~
~~(byway open to all traffic) from~~

by providing that

and shown on the map accompanying this application.

I/We attach copies of the following documentary evidence (including statements of witnesses) in support of this application

*delete as appropriate.

STATEMENTS FROM

List of Documents

- R. SALT
- A. LITTLEFORD
- M.A. RICHARDSON
- E.M. QUARTERMAINE
- J. DUGGINS.
- M. WHORWOOD
- J. DUNN
- M. WARD
- H. PURCHASE
- R.J. MANDER
- M. CUFFE
- V.F. McDERHOTT
- K.J. BARTHAM
- D. SALT.
- C. A. GREEN
- C. R. HINDS.

Plus another

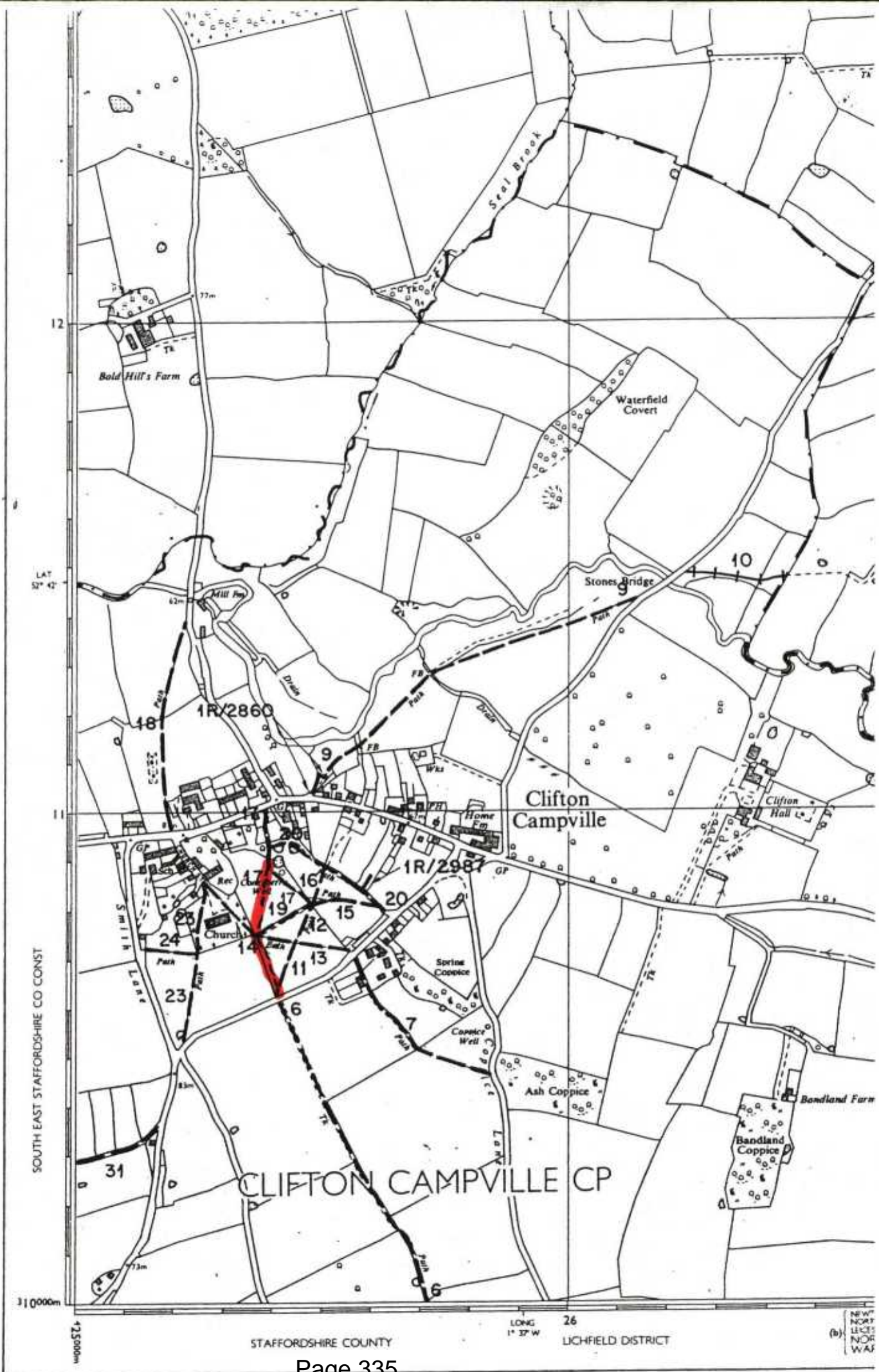
12 people who walk
 the paths daily but
 have only been in village
 between 2 - 14 years.
 They have not been stopped
 until April of this year.

Date 12 - 11 -

19 93

signed..... Balt (Mrs)

5000
1500
4000
3000
2000
1000
500
100
0
100 Metres
500 Feet
metre = 3.2808 feet
foot = 0.3048 metre
1:5000 scales
Includes a glossary of Scotland and Wales
at the prior



NEW
NOR
LICH
NOR
WAL

F 19/11/109

PUBLIC RIGHT OF WAY EVIDENCE FORM

Questionnaire to be completed by the owner/occupier of land over which there is an alleged public right of way

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the claimed public right of way. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness PETER JOHN AFFORD (TRUSTEE TO MRS CE JENKINS DSCD.).....
(Block Capitals please)

Address
.....
.....

Telephone No:

Date of Birth Occupation

1. Do you own or occupy any of the land affected by the proposal or adjacent to it? If the answer is YES please answer questions 2 to 13 and indicate on one copy of the plan the extent of ownership. If the answer is NO please, if possible, advise the names and addresses of the landowners/occupiers.

YES/NO

2. Have you received a Notice of application for a Modification Order?

YES/NO

3. Would you be willing to allow my assistant to make a site inspection?

YES/NO

4. Do you consider the route to be public?

YES/NO

5. How long have you had an interest in the land affected by the application. 30 ... years.

6. Please state the nature of your interest in the land over which the alleged public right of way is claimed:

Freehold Ownership Are you:-

- (a) Sole freehold owner? AS TRUSTEE
(b) A joint tenant,
if so, with whom?
(c) a tenant in common,
if so, with whom?
(d) A tenant for life under the Settled Land Act,
if so, with whom?

Tenancies and Leases

are you a tenant or lessee of the land? If so, please state the nature of your interest as tenant or lessee.

AS TRUSTEE SINCE JUNE 1976.

7. Have you, or any previous owner/tenant of the land, erected any "private" or "trespassers will be prosecuted" or similar signs on or near the alleged public right of way? If so please state when and where these signs were erected, what they said, whether they are still in place and show their position on the attached plan.

NOT KNOWN

8. Have you ever given anybody permission to use the path? If so, when and to whom?

NO

9. Have you, or any previous owner of the land, taken steps to prevent the public's access by locking gates or erecting some other form of obstruction along the path? If so, when, where and for how long was the path obstructed?

IT HAS NOT BEEN PRACTICABLE TO DO SO. FIELD GATES ARE LOCKED

10. Have you ever stopped or "turned back" anybody found using the path? If so, please give full details.

AS & WHEN WE HAVE BEEN PRESENT PEOPLE HAVE BEEN REDIRECTED

11. Have you taken any other steps to prevent the presumed dedication of the path as a public right of way?

NOTE - Section 31(1) of the Highways Act 1980 states that:-

"Where a way over any land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as of right and without interruption for a full period of 20 years, the way is to be deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it."

ONLY BY REDIRECTION PEOPLE

12. Do you have any documents which show this as a private right of way or giving details of its closure?

NO . ONLY DEED PLANS
& ORDINANCE SURVEY MAPS.

13. Would you be prepared to give evidence on this matter at a public inquiry or in a court of law if necessary?

YES

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature. *Peter J. Afford*

Person taking this statement *PETER JOHN AFFORD*

Date *3:1:94*
ON BEHALF OF TRUSTEES FOR THE LATE MRS CE JENKINS

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness... CHRISTINE... R. HINDS (MRS) (Block Capitals please)

Address (Block Capitals please)

Date of Birth Occupation

Description of way (include grid references if known):-

From To AS PLAN ATTACHED (MARKED RED)

* Please delete as appropriate

1. How many years have you known the way? 24 Years

2.(a) Do you believe the way to be a public right of way? *YES/~~NO~~

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/~~NO~~

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *~~YES~~/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *~~YES~~/NO

3. How wide is the way?

4. Have you used the above way?

*YES/~~NO~~

If so: (a) During which years?

(a) 1969 to present

(b) Where were you going from/to?

(b) St David's Road - to - Church

(c) For what purpose? (eg work, pleasure)

(c) pleasure

(d) How many times a year? (eg daily)

(d) daily

(e) By what means? (eg on foot, horseback, motor vehicle etc)

(e) on foot

(f) Please show the route of the way used on the attached plan.

(f) See plan

5.(a) Has the way always been on the same route?

*YES/~~NO~~

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/NO

If so, state (with details of location) where the stiles or gates stood.

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it.

*YES/NO

(b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*YES/NO

(b) If so, please give particulars.

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public?

~~YES~~/NO

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

*~~YES~~/NO

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

*~~YES~~/NO

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

~~YES~~/NO

(b) If so, by whom?

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

To the best of my knowledge this route has been used by the village as a means of access to Church Street/ and Chestnut Lane from the St. David's Road area.

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

*YES/~~NO~~

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature *Christie R. H. d.*

Person taking this statement *R. Scott.*

Date *19/8/93*

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness..... MRS JEAN DUNN
(Block Capitals please)

Address
(Block Capitals please)

Date of Birth Occupation

Description of way (include grid references if known):-
From MAIN ST, VIA CONVEYBERRY WELLS CORNER OF CHURCH YARD
To STILE ON CHESTNUT LANE (POINT 6 ON MAP) (CRISSING GATE)

* Please delete as appropriate

1. How many years have you known the way? 29 yrs.

2.(a) Do you believe the way to be a public right of way? *YES/NO

- (b) If so, is the way
- (i) a footpath? (pedestrians only) *YES/NO
 - (ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO
 - (iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way?
1 METRE

4. Have you used the above way?

~~*YES/NO~~

If so: (a) During which years?

1985 - 1993

- (b) Where were you going from/to? HOME, THROUGH CHURCH YARD and toward fields.
- (c) For what purpose? (eg work, pleasure) pleasure
- (d) How many times a year? (eg daily) Daily
- (e) By what means? (eg on foot, horseback, motor vehicle etc) on foot
- (f) Please show the route of the way used on the attached plan.

5.(a) Has the way always been on the same route?

~~*YES/NO~~

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

~~*YES/NO~~

If so, state (with details of location) where the stiles or gates stood.

7.(a) Were you working for any owner or tennant of land crossed by the way at the time when you used it.

~~*YES/NO~~

(b) If so, give particulars and say whether you received any instructions from the owner/tennant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

~~*YES/NO~~

(b) If so, please give particulars.

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public?

~~YES/NO~~

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

~~YES/NO~~

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

~~YES/NO~~

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

~~YES/NO~~

(b) If so, by whom?

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

~~YES/NO~~

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature *J.M. Quinn*

Person taking this statement *R. Salt*

Date *Aug. 18th 1993*

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness..... WENHAM ARTHUR LITTLEFORD.....
(Block Capitals please)

Address [REDACTED].....
(Block Capitals please)

Date of Birth [REDACTED] Occupation..... [REDACTED]

Description of way (include grid references if known):-
From As marked To ALL ROUTES.

* Please delete as appropriate

1. How many years have you known the way? 25

2.(a) Do you believe the way to be a public right of way? *YES/NO

(b) If so, is the way (i) a footpath? (pedestrians only) *YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way? ABOUT A YARD

4. Have you used the above way?

~~YES/NO~~

If so: (a) During which years?

LAST 25

- (b) Where were you going from/to?
- (c) For what purpose? (eg work, pleasure)
- (d) How many times a year? (eg daily)
- (e) By what means? (eg on foot, horseback, motor vehicle etc)
- (f) Please show the route of the way used on the attached plan.

WALKING
PLEASURE
DAILY.
FOOT

ALL ROUTES

5.(a) Has the way always been on the same route?

~~YES/NO~~

- (b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

~~YES/NO~~

If so, state (with details of location) where the stiles or gates stood.

THERE HAVE ALWAYS BEEN
STILES AND GATES.

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it.

~~YES/NO~~

- (b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

~~YES/NO~~

- (b) If so, please give particulars.
-

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public?

*YES/NO

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

*YES/NO

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

*YES/NO

THERE HAVE NEVER BEEN ANY NOTICES UNTIL LUST RECENTLY.

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

*YES/NO

(b) If so, by whom?

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

*YES/NO

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature

Person taking this statement.....

Date..... 14-9-93

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness RITA SALT.
(Block Capitals please)

Address
(Block Capitals please)

Date of Birth Occupation

Description of way (include grid references if known):-

From To As Marked in Red.

* Please delete as appropriate

1. How many years have you known the way? 40 Year.

2.(a) Do you believe the way to be a public right of way? *YES/NO

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way? about 2ft.

4. Have you used the above way? *YES/NO

If so: (a) During which years? 1967 - 1993.

- (b) Where were you going from/to? *from St. David's Road via Church.*
(c) For what purpose? (eg work, pleasure) *Pleasure.*
(d) How many times a year? (eg daily) *twice daily*
(e) By what means? (eg on foot, horseback, motor vehicle etc) *foot.*
(f) Please show the route of the way used on the attached plan. *as Plan.*

5.(a) Has the way always been on the same route? *YES/NO

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates? *YES/NO

If so, state (with details of location) where the stiles or gates stood.

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it. *YES/NO

(b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*YES/NO

not until April of this year 1993 when a new tenant came

(b) If so, please give particulars.

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public?

*YES/NO

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

*YES/NO

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

*YES/NO

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

*YES/NO

(b) If so, by whom?

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

Yes.

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

*YES/NO

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature R. S. A.

Person taking this statement R. S. A.

Date 21-9-93

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness... CHRISTINA ANN GREEN
(Block Capitals please)

Address
(Block Capitals please)

Date of Birth Occupation.....

Description of way (include grid references if known):-
From KISSING GATE ACROSS THE CLEEB TO STYLE IN THE CONY BERRY
TO FROM KISSING GATE TO STYLE IN CHESTNUT LANE THIS PATH.
RUNS ALONG HEDGE NEXT TO MR DAVISON'S FIELD.
* Please delete as appropriate

1. How many years have you known the way? 52 YRS

2.(a) Do you believe the way to be a public right of way? *YES/NO

(b) If so, is the way (i) a footpath? (pedestrians only) *YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way? TO MY KNOWLEDGE THE PATH IS ABOUT 4 FT WIDE.

4. Have you used the above way?

*YES/NO

If so: (a) During which years?

1945 - 1993.

- (b) Where were you going from/to? IT WAS A SHORT CUT TO THE
(c) For what purpose? (eg work, pleasure) SCHOOL AND ALSO TO CHURCH
(d) How many times a year? (eg daily)
(e) By what means? (eg on
foot, horseback,
motor vehicle etc)
(f) Please show the route of
the way used on the
attached plan.

5.(a) Has the way always been on
the same route?

*YES/NO

(b) If not, please give details
of original route, date of diversion and
show details on a plan.

6. Have there, to your knowledge,
ever been on the way
any stiles or gates?

*YES/NO

If so, state (with details GATE AT CHURCH YARD STILE AT
of location) where the stiles CHERRYBERRY END OF PATH AND ALSO
or gates stood. IN CHESTNUT LANE.

7.(a) Were you working for any
owner or tenant of land
crossed by the way at the time
when you used it.

~~YES~~/NO

(b) If so, give particulars and say whether you received
any instructions from the owner/tenant as to the
use of the way by the public? If
so, what were they?

8.(a) Have you ever been stopped or
turned back when using the way
or do you know, or have you heard,
of anyone else having been prevented
from using the route?

*YES/NO

ONLY THE LAST FEW MONTHS
AS ANY ONE BEEN TOLD NOT TO
GO ACROSS THIS WAY.

(b) If so, please
give particulars.

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? ~~YES/NO~~

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way? ~~YES/NO~~
No.

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way? ~~YES/NO~~

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way? ~~YES/NO~~
AS A CHILD WE WERE GIVEN PERMISSION BY THE RECTOR TO USE THE FOOTPATHS AS THE RIGHTS OF THIS LAND AS ALWAYS BEEN WALKED BY VILLAGER PEOPLE

(b) If so, by whom? A VILLAGER.

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary). ALL THE OTHER CHILDREN OF THE VILLAGE IN THE 1940-1950 WE WOULD USE THIS LAND AS COMMON LAND TO PLAY ON. WHEN WE WENT OUR PLAYING FIELD IN 1944 THIS LAND AS ALWAYS BEEN GRASS LAND AND AS A CHILD ALONG WITH.

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary? ~~YES/NO~~

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature E. A. Green

Person taking this statement Both Gues

Date 27-7-93

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness..... MRS M. CUFFE
(Block Capitals please)

Address
(Block Capitals please)

Date of Birth Occupation.....

Description of way (include grid references if known):-
From To As Plan ATTACHED (marked in Red).

* Please delete as appropriate

1. How many years have you known the way? 55 YRS.

2.(a) Do you believe the way to be a public right of way? *YES/NO

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way? 2 ft.

4. Have you used the above way?

*YES/NO

If so: (a) During which years?

- (b) Where were you going from/to?
- (c) For what purpose? (eg work, pleasure)
- (d) How many times a year? (eg daily)
- (e) By what means? (eg on foot, horseback, motor vehicle etc)
- (f) Please show the route of the way used on the attached plan.

59.

5.(a) Has the way always been on the same route?

*YES/NO

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/NO

If so, state (with details of location) where the stiles or gates stood.

7.(a) Were you working for any owner or tennant of land crossed by the way at the time when you used it.

*YES/NO

(b) If so, give particulars and say whether you received any instructions from the owner/tennant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*YES/NO

(b) If so, please give particulars.

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public?

~~*YES/NO~~

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

~~*YES/NO~~

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

~~*YES/NO~~

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

*YES/NO

(b) If so, by whom?

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

~~*YES/NO~~

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature *A. M. Cuffe*

Person taking this statement *R. Satt*

Date *4-8-93*

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness..... KENNETH JOHN BARTLAM
(Block Capitals please)

Address [REDACTED]
(Block Capitals please)

[REDACTED]

Date of Birth [REDACTED] Occupation [REDACTED]

Description of way (include grid references if known):-

From
To As Marked

* Please delete as appropriate

1. How many years have you known the way? 20 YEARS

2.(a) Do you believe the way to be a public right of way? *YES/~~NO~~

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/~~NO~~

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way? a footpath width

4. Have you used the above way?

*YES/NO

If so: (a) During which years?

1973 - 1993

- (b) Where were you going from/to? *a walk*
(c) For what purpose? (eg work, pleasure) *pleasure*
(d) How many times a year? (eg daily) *twice*
(e) By what means? (eg on foot, horseback, motor vehicle etc) *on foot*
(f) Please show the route of the way used on the attached plan.

5.(a) Has the way always been on the same route?

*YES/NO

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/NO

If so, state (with details of location) where the stiles or gates stood.

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it.

*YES/NO

(b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*YES/NO

(b) If so, please give particulars.

the woman who now rents the field for her horses. but only in the last 6 months

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *YES/NO

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way? *YES/NO

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way? *YES/NO

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way? *YES/NO

(b) If so, by whom? *MR BRISCOE - the previous tenant who has since died.*

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary). NO

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary? *YES/NO

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature *K. Batten*

Person taking this statement *R. Smith*

Date *14-8-93*

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness, MRS V.F. MGERMOTT
(Block Capitals please)

Address [REDACTED]
(Block Capitals please)

Date of Birth [REDACTED] Occupation [REDACTED]

Description of way (include grid references if known):-

From
To *as marked on map*

* Please delete as appropriate

1. How many years have you known the way? *16 years*

2.(a) Do you believe the way to be a public right of way? *YES/~~NO~~

- (b) If so, is the way
 - (i) a footpath? (pedestrians only) *YES/~~NO~~
 - (ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/~~NO~~
 - (iii) a by-way open to all traffic? (all uses including vehicles) *YES/~~NO~~

3. How wide is the way? *approx. 2 feet*

4. Have you used the above way?

*YES/NO

If so: (a) During which years?

1977-1993

- (b) Where were you going from/to?
- (c) For what purpose? (eg work, pleasure)
- (d) How many times a year? (eg daily)
- (e) By what means? (eg on foot, horseback, motor vehicle etc)
- (f) Please show the route of the way used on the attached plan.

pleasure
~~to~~ weekly.
on foot.

5.(a) Has the way always been on the same route?

*YES/NO

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/NO

If so, state (with details of location) where the stiles or gates stood.

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it.

*YES/NO

(b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*YES/NO

not until recently

(b) If so, please give particulars.

Aggressively told not to stop or talk on path.

My daughter was harassed whilst talking to some other villagers on the path.

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public?

~~YES/NO~~

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

~~YES/NO~~

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

~~YES/NO~~

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

~~YES/NO~~

(b) If so, by whom?

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

~~YES/NO~~

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature

R. McDermott

Person taking this statement

R. Salt

Date 18-9-93

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness..... MRS. M. WHORWOOD.....
(Block Capitals please)

Address
(Block Capitals please)

.....

Date of Birth Occupation

Description of way (include grid references if known):-

From main st. via Coneyberry Well + Corner of Church yard (kissing gate)
To Stile on Chestnut Lane (point 6 on map).

* Please delete as appropriate

1. How many years have you known the way? 30 YEARS.

2.(a) Do you believe the way to be a public right of way? *YES/NO

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way? APPROX 1 METER.

4. Have you used the above way?

*YES/NO

If so: (a) During which years?

1969 - 1993.

- (b) Where were you going from/to?
- (c) For what purpose? (eg work, pleasure)
- (d) How many times a year? (eg daily)
- (e) By what means? (eg on foot, horseback, motor vehicle etc)
- (f) Please show the route of the way used on the attached plan.

pleasure
daily
foot

5.(a) Has the way always been on the same route?

*YES/NO

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/NO

If so, state (with details of location) where the stiles or gates stood.

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it.

*YES/NO

(b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*YES/NO

(b) If so, please give particulars.

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public?

~~*YES/NO~~

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

~~*YES/NO~~

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

~~*YES/NO~~

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

~~*YES/NO~~

(b) If so, by whom?

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

~~*YES/NO~~

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature *M. Khanwood*

Person taking this statement *R. Scall*

Date... *August 18th 1993*

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness. MARGUERITE ANNE RICHARDSON
(Block Capitals please)

Address
(Block Capitals please)

Date of Birth Occupation

Description of way (include grid references if known):-

From To As marked

* Please delete as appropriate

1. How many years have you known the way? 7 1/2 years.

2.(a) Do you believe the way to be a public right of way? *YES/NO

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way?
2 FOOT.

4. Have you used the above way?

*YES/~~NO~~

If so: (a) During which years?

1919 - 1993

- (b) Where were you going from/to?
- (c) For what purpose? (eg work, pleasure)
- (d) How many times a year? (eg daily)
- (e) By what means? (eg on foot, horseback, motor vehicle etc)
- (f) Please show the route of the way used on the attached plan.

bonyberry to Churchyard to Chestnut Lane
 Pleasure
 weekly
 Foot
 red line a dots on maps.

5.(a) Has the way always been on the same route?

*YES/~~NO~~

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/~~NO~~

If so, state (with details of location) where the stiles or gates stood.

bonyberry kissing gate churchyard

7.(a) Were you working for any owner or tennant of land crossed by the way at the time when you used it.

*YES/~~NO~~

(b) If so, give particulars and say whether you received any instructions from the owner/tennant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*YES/~~NO~~

(b) If so, please give particulars.

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? ~~*YES/NO~~

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way? ~~*YES/NO~~

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way? ~~*YES/NO~~

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way? ~~*YES/NO~~

(b) If so, by whom?

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary? ~~*YES/NO~~

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature ... *Mr. A. Richardson*

Person taking this statement ... *L. Scott*

Date ... *16-8-1993*

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness..... MISS M. WARD.....
(Block Capitals please)

Address.....
(Block Capitals please)

.....

Date of Birth..... Occupation.....

Description of way (include grid references if known):-

From

To

* Please delete as appropriate

1. How many years have you known the way? 76 years

2.(a) Do you believe the way to be a public right of way? *YES/~~NO~~

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/~~NO~~

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *~~YES~~/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *~~YES~~/NO

3. How wide is the way?

4. Have you used the above way?

*YES/~~NO~~

7 If so: (a) During which years?

- (b) Where were you going from/to?
(c) For what purpose? (eg work, pleasure)
(d) How many times a year? (eg daily)
(e) By what means? (eg on foot, horseback, motor vehicle etc)
(f) Please show the route of the way used on the attached plan.

My home to Churchyard -
to take flowers -
on foot,

5.(a) Has the way always been on the same route?

*YES/NO

- (b) If not, please give details of original route, date of diversion and show details on a plan.

The original path in the Coneyberry was from the stile by the pits along the hedge side to stile at top of field.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/~~NO~~

If so, state (with details of location) where the stiles or gates stood.

stile at bottom + top of Coneyberry field, + stile Broomhill field with gate into Church yard

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it.

*YES/NO

- (b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*~~YES~~/NO

- (b) If so, please give particulars.

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? *~~YES~~/NO

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way? *~~YES~~/NO

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way? *~~YES~~/NO

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way? *YES/NO

(b) If so, by whom?

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary? *YES/~~NO~~

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature ... *M. Ward*

Person taking this statement: ... *R. Salt*

Date... *12-8-93*

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness..... DOROTHY SACT
(Block Capitals please)

Address
(Block Capitals please)

.....

Date of Birth Occupation

Description of way (include grid references if known):-

From To As marked

* Please delete as appropriate

1. How many years have you known the way? 30

2.(a) Do you believe the way to be a public right of way? *YES/NO

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way?

Approx 2 Foot

4. Have you used the above way?

*YES/~~NO~~

If so: (a) During which years?

- (b) Where were you going from/to?
- (c) For what purpose? (eg work, pleasure)
- (d) How many times a year? (eg daily)
- (e) By what means? (eg on foot, horseback, motor vehicle etc)
- (f) Please show the route of the way used on the attached plan.

ACROSS TO MY AUNT'S + CHURCH YARD
PLEASURE
NUMEROUS
FOOT

5.(a) Has the way always been on the same route?

*YES/~~NO~~

- (b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/~~NO~~ NOT TO MY KNOWLEDGE

If so, state (with details of location) where the stiles or gates stood.

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it.

*YES/~~NO~~

- (b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*YES/~~NO~~

- (b) If so, please give particulars.
-

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public?

*YES/NO

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

*YES/NO

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

*YES/NO

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

*YES/NO ALTHOUGH TAKEN FOR WALKS BY PARENTS AND SCHOOL NATURE WORKS. SO ONE ASSUMES A RIGHT OFWAY WAS GIVEN MANY YEARS AGO

(b) If so, by whom?

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

*YES/NO

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature D Salt

Person taking this statement Salt (Mrs)

Date 9/8/93

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness..... R. J. MANDER
(Block Capitals please)

Address
(Block Capitals please)

[Redacted]

Date of Birth Occupation.....

Description of way (include grid references if known):-
From As Plan marked in Red.
To

* Please delete as appropriate

1. How many years have you known the way? 50 YRS

2.(a) Do you believe the way to be a public right of way? *YES/NO

(b) If so, is the way (i) a footpath? (pedestrians only) *YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way? 2 ft

4. Have you used the above way?

*YES/NO

If so: (a) During which years?

- (b) Where were you going from/to?
- (c) For what purpose? (eg work, pleasure)
- (d) How many times a year? (eg ~~daily~~)
- (e) By what means? (eg on
foot, horseback,
motor vehicle etc)
- (f) Please show the route of
the way used on the
attached plan.

156

5.(a) Has the way always been on
the same route?

*YES/NO

(b) If not, please give details
of original route, date of diversion and
show details on a plan.

6. Have there, to your knowledge,
ever been on the way
any stiles or gates?

*YES/NO

If so, state (with details
of location) where the stiles
or gates stood.

7.(a) Were you working for any
owner or tennant of land
crossed by the way at the time
when you used it.

*YES/NO

(b) If so, give particulars and say whether you received
any instructions from the owner/tennant as to the
use of the way by the public? If
so, what were they?

8.(a) Have you ever been stopped or
turned back when using the way
or do you know, or have you heard,
of anyone else having been prevented
from using the route?

*YES/NO

(b) If so, please
give particulars.

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public?

*YES/NO

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

*YES/NO

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

*YES/NO

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

*YES/NO

(b) If so, by whom?

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

*YES/NO

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature *R. J. Mander (Mrs.)*

Person taking this statement *R. Scott*

Date *14-8-93*



PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness E.M. GUILLET MAINE
(Block Capitals please)

Address
(Block Capitals please)

Date of Birth Occupation

Description of way (include grid references if known):-

From As Marked
To

* Please delete as appropriate

1. How many years have you known the way? 61 years.

2.(a) Do you believe the way to be a public right of way? *YES/NO

- (b) If so, is the way
(i) a footpath? (pedestrians only) *YES/NO
(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO
(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way? 2 FOOT.

4. Have you used the above way?

~~*YES/NO~~

If so: (a) During which years?

1932 - 1993

(b) Where were you going from/to?

Coneyberry to Churchyard / Churchyard to Chestnut Lane

(c) For what purpose? (eg work, pleasure)

Pleasure weekly.

(d) How many times a year? (eg daily)

(e) By what means? (eg on

foot, horseback, motor vehicle etc)

Foot.

(f) Please show the route of the way used on the attached plan.

Red line ----- on Map

5.(a) Has the way always been on the same route?

~~*YES/NO~~

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

~~*YES/NO~~

If so, state (with details of location) where the stiles or gates stood.

Coneyberry.
Kessing Gate. Churchyard.

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it.

~~*YES/NO~~

(b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

~~*YES/NO~~

(b) If so, please give particulars.

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public?

~~*YES/NO~~

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

~~*YES/NO~~

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

~~*YES/NO~~

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

~~*YES/NO~~

(b) If so, by whom?

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

~~*YES/NO~~

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature *E.M. Anathemane*

Person taking this statement *R. Sett*

Date *16/8/93*

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the public status claim. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness: MRS JOYCE DUGGINS
(Block Capitals please)

Address
(Block Capitals please)

Date of Birth Occupation

Description of way (include grid references if known):-
From As marked
To

* Please delete as appropriate

1. How many years have you known the way? 40 +

2.(a) Do you believe the way to be a public right of way? *YES/~~NO~~

- (b) If so, is the way
- (i) a footpath? (pedestrians only) *YES/~~NO~~
 - (ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO
 - (iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way?

4. Have you used the above way?

*YES/~~NO~~

If so: (a) During which years?

- (b) Where were you going from/to?
- (c) For what purpose? (eg work, pleasure)
- (d) How many times a year? (eg daily)
- (e) By what means? (eg on foot, horseback, motor vehicle etc)
- (f) Please show the route of the way used on the attached plan.

MAIN ST. to CHESTNUT LANE
 WORK - PLEASURE
 TWICE WEEKLY
 FOOT

5.(a) Has the way always been on the same route?

*YES/~~NO~~

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/~~NO~~

If so, state (with details of location) where the stiles or gates stood.

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it.

*YES/~~NO~~

(b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*YES/~~NO~~

I have been chased ~~at~~ by horses, in the appropriate field.

(b) If so, please give particulars.

9.(a) Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public?

~~YES/NO~~

(b) If so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

~~YES/NO~~

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

*YES/NO

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

~~YES/NO~~

(b) If so, by whom?

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

14. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

*YES/NO

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature *H.J. Duggins*

Person taking this statement..... *SAH. CORRS*

Date... *22nd July 1993*

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APPENDIX D

Name	Years Known/had interest	Years used	Gates/Stiles	Frequency of Use	Width	Activity
Mrs C A Green	52 years	1945-1993	Gate at churchyard, stile at Coneyberry end of path and also in Chestnut Lane	Monthly	To my knowledge the path is about 2 Foot wide	
Mrs M Cuffe	55 years	1938-1993			2 Foot	Visit churchyard where parents buried and walking dog
Mr R.J. Mander	50 years	1943-1993			2 Foot	
Mr H W Purchase	30 years	1963-1993	Stiles at each end of walk	Daily	1 Foot 6 inches	Pleasure

Miss M Ward	76 years		Stile at bottom and top of Coneyberry field and stile at Broomhill field with gate into churchyard	Once or twice weekly		Visit village post office and shop in Chestnut Lane / taking flowers to churchyard
Mrs D Salt	30 years		Not to my knowledge	Numerous times per year	2 Foot	Visit churchyard and across to my aunts
Mrs J Duggins	40+ years			Twice weekly		Main Street to Chestnut Lane for work and pleasure
Mrs R Salt	40 years	1967-1993		Twice daily for past 26 years	About 2 Foot	From St David's Road via church for pleasure
Mr W A Littleford	25 years	1968-1993	There have always been stiles and gates	Daily	About a yard	Walking dog / pleasure

Mrs M A Richardson	74 years	1919-1993	Coneyberry, kissing gate (into) churchyard	Weekly	2 Foot	Coneyberry to churchyard to Chestnut Lane for pleasure
E M Quartermaine	61 years	1932-1993	Coneyberry kissing gate into churchyard	Weekly	2 Foot	Coneyberry to churchyard/ churchyard to Chestnut Lane for pleasure
Mrs M Whorwood	30 years	1969-1993	Corner of churchyard kissing gate stile on Chestnut Lane	Daily	Approx 1 metre	Pleasure
Mrs J Dunn	29 years	1985-1993		Daily	1 metre	Home through churchyard and round fields for pleasure
Mrs V F Mc Dermott	16 years	1977-1993		Weekly	Approx 2 feet	Pleasure

Mr K J Bartlam	20 years	1973- 1993		Twice yearly	A footpath width	A walk pleasure
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Mrs C R Hinds	24 years	1969- 1993		Daily	St David's Road to (the) church for pleasure	
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[REDACTED]

LC 615G

14 April 1999

Director of Central Services
PO Box 11
County Buildings
Martin Street
STAFFORD
ST16 2LH

Js

COUNTY
REF.
OFF.
15 APR 1999
REF

Dear Sirs

YOUR REF: JS/LC615G
ALLEGED PUBLIC FOOTPATH BETWEEN CHESTNUT LANE AND
CONYBERRY STILES CLIFTON CAMPVILLE

Thank you for your letter of 6 April.

Unfortunately I work Monday to Friday 9.00 am to 5.00 pm and will not therefore be available to meet you on 26 April. I can only say that over the last at least 25 years I have walked that particular path referred to above, without (legitimate) hinderance, and indeed continue to do so.

It may be useful to inspect the area, where you will see that following the work carried out by the Conyberry Millenium Green Trust an area of land following the footpath route has been left intact and not ploughed up.

Yours sincerely,

Christine R. Hinds

Christine R Hinds

PUBLIC RIGHT OF WAY EVIDENCE FORM

Questionnaire to be completed by the owner/occupier of land over which there is an alleged public right of way

Important Note

The object of this enquiry is simply to reach the truth of the matter, whatever it may be. Witnesses are therefore asked to answer the questions as fully as possible and not to keep back any information, whether for or against the claimed public right of way. This is of particular importance if the information is to be of real value in establishing the status of the way.

Name of witness *Peter John Atford, Trustee to Mrs C. Jenkins, D.S.D.* (Block Capitals please)

Address

[Redacted address]

Telephone No:

Date of Birth Occupation

[Redacted personal information]

1. Do you own or occupy any of the land affected by the proposal or adjacent to it? If the answer is YES please answer questions 2 to 13 and indicate on one copy of the plan the extent of ownership. If the answer is NO please, if possible, advise the names and addresses of the landowners/occupiers.

YES/NO

2. Have you received a Notice of application for a Modification Order?

YES/NO

3. Would you be willing to allow my assistant to make a site inspection?

YES/NO

4. Do you consider the route to be public?

YES/NO

5. How long have you had an interest in the land affected by the application.

30 years

F 19/11/09

ONLY BY REGISTERING PEOPLE

"Where a way over any land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as of right and without interruption for a full period of 20 years, the way is to be deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it."

NOTE - Section 31(1) of the Highways Act 1980 states that:-

11. Have you taken any other steps to prevent the presumed dedication of the path as a public right of way?

AS A WHOLE WE HAVE BEEN RESENT PEOPLE HAVE BEEN EXCLUDED

10. Have you ever stopped or "turned back" anybody found using the path? If so, please give full details.

IT HAS NOT BEEN PRACTICE TO DO SO. FEW GATES ARE LOCKED

9. Have you, or any previous owner of the land, taken steps to prevent the public's access by locking gates or erecting some other form of obstruction along the path? If so, when, where and for how long was the path obstructed?

8. Have you ever given anybody permission to use the path? If so, when and to whom?

NOT KNOWN

7. Have you, or any previous owner/tenant of the land, erected any "private" or "trespassers will be prosecuted" or similar signs on or near the alleged public right of way? If so please state when and where these signs were erected, what they said, whether they are still in place and show their position on the attached plan.

AS ROSTER SINCE JUNE 1976.

are you a tenant or lessee of the land? If so, please state the nature of your interest as tenant or lessee.

Tenancies and Leases

- (a) Sole freehold owner? *AS ROSTER*
- (b) A joint tenant,
- (c) a tenant in common,
- (d) A tenant for life under the Settled Land Act,
- if so, with whom?

6. Please state the nature of your interest in the land over which the alleged public right of way is claimed:

12. Do you have any documents which show this as a private right of way or giving details of its closure?

NO . ONLY DEEDS & ORDINANCE SURVEY MAPS.

13. Would you be prepared to give evidence on this matter at a public inquiry or in a court of law if necessary?

YES

I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature.....
John R. Smith

Person taking this statement.....

PETER JOHN SMITH
ON BEHALF OF TRUSTEES FOR THE RATE

MRS E E JENKINS

Date 3.1.94.....

Not for publication by virtue of paragraph(s) 2, 6a, 6b
of Part 1 of Schedule 12A
of the Local Government Act 1972

Document is Restricted

