

**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) ..... GLENYS BARLOW .....  
(Block Capitals please)

Address ..... [REDACTED] .....  
(Block Capitals please)

Telephone No. .... [REDACTED] .....

Date of Birth ..... [REDACTED] ..... Occupation .....

**Please attach a map showing the claimed way marked in red.**

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

From GUN END

To HEATON

\*Please delete as appropriate

**Please take time to answer the questions carefully and in full.**

1. (a) How many years have you known the way? ALL MY LIFE
- (b) Does the way have a popular name? HALKSLEY 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? 1952 - 1962 & 1987 - 2001
- (f) Where were you going from/to? GUN END to HEATON
- (g) For what purpose? (e.g. work, pleasure) PLEASURE
- (h) How many times a year? (e.g. daily, weekly, seasonal) SEASONAL
- (i) By what means? (e.g. on foot, horseback, motor vehicle etc) HORSEBACK IN WINTER YEARS
- (j) Is, or was, the way a short cut for you? NOT REALLY
- (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?

WOODLANDS Gun End

If at different places please provide details and years.

LAWING HALL FARM  
MEERBROOK.

3. (a) How wide is the way?

10-30'

(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

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

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 so, 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?

POSSIBLY TWICE A YEAR  
WHEN I WAS VERY YOUNG

(ii) What type of vehicle were you in?

MORRIS VAN

(iii) For what purpose was it being used?

VISITING FRIENDS IN  
HEATON

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

~~YES~~/NO

(b) If not, please describe the original route, state when the way was diverted and show details on a plan.

BUT I THINK SLIGHTLY DIFFERENT FROM OVER  
40 YEARS AGO!

(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 THE  
ROUTE.

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

\*YES/NO

GATE AT GUN END. (HAWKSBY FARM)

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

(c) 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.

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

\*YES/NO

(b) If so, 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.

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9. (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) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way?

\*YES/NO

(d) If Yes to (c),

(i) What was your employment?

(ii) Between what years were you employed?

(e) 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?

(f) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? If so, what was their relationship to you?

\*YES/NO

10. (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.

---

11. (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, please state (i) Who told you?

(ii) When you were told?

(iii) What were you told?

---

12. (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 so, please state what the notices said and show their approximate position on the attached plan.

---

13. (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

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

---

14. (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 so, who gave you permission?

(d) When were you given permission?

(e) For what purpose were you given permission to use the way?

15. (a) Have you seen other people using the way? \*YES/NO
- (b) How were they using the way (i.e. foot, horse)? FOOT + HORSEBACK
- (c) Were they accompanying you? If so, please give details.  
(i.e. companions, rambling club, family, etc.) BOTH COMPANIONS & OTHER
- (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?  
(i.e. daily, weekly, seasonal etc.) SEASONAL
- (f) How many other people, approximately,  
did you see on these occasions? APPROX 4
- (g) Please give any further details of other people's use  
of the way which you feel may be important.
- 

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

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

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

19. 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~~

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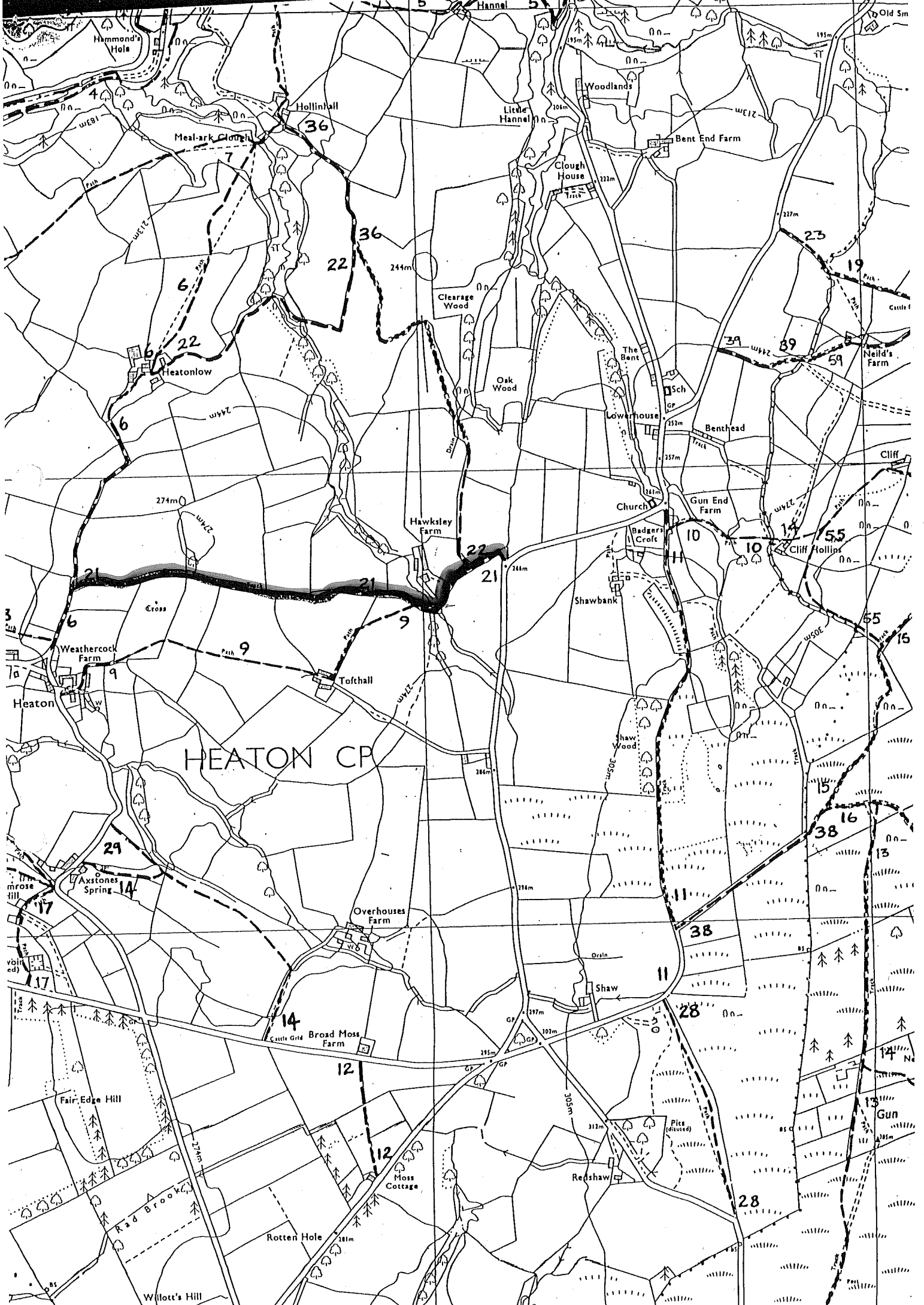
**Please note** that this form will be open to members of the public including affected owners or occupiers of the land crossed by the way.

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

Signature ..... *Glenys E. Barber*

Person taking this statement (if applicable).....

Date ..... *3/5/01* .....



The route shown in red is the route for which I have completed the "Public Right of Way Evidence form"

Signed: George E. Barlow





PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

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Name of witness..... MARGARET W. LLOYD.....  
(Block Capitals please)

Address ..... [redacted] .....  
(Block Capitals please) ..... [redacted] .....  
..... [redacted] .....

Date of Birth [redacted] Occupation..... HOUSEWIFE.....

Description of way (include grid references if known):-  
From HEATON VILLAGE  
To ST. WINCE.

\* Please delete as appropriate

1. How many years have you known the way? SINCE 1969

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?

1969 - 1978.

- (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.

WINDLE  
WORK  
4 TIMES A WEEK.  
HORSE BACK.

---

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.

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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.

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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.

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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). THE ROAD WAS USED BY THE FARMERS TO DELIVER THE MILK TO RUSHTON SPENCER STATION DAILY USED BY EVERYONE UNTIL IT BECAME BOGGY.

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. W. Lloyd .....

Person taking this statement ..... P. Anne .....

Date ..... 4.1.97 .....



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

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Name of witness (Mr/Mrs/Miss/Ms) ..... S. HINE .....  
(Block Capitals please)

Address ..... [REDACTED] .....  
(Block Capitals please)

Telephone No. .... [REDACTED] .....

Date of Birth ...../...../..... Occupation ..... FARMER .....

**Please attach a map showing the claimed way marked in red.**

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

From HAWKSLEY FARM, SWYTHAMLEY

To HEATON VILLAGE.

\*Please delete as appropriate

**Please take time to answer the questions carefully and in full.**

1. (a) How many years have you known the way? 25  
(b) Does the way have a popular name? HAWKSLEY LAWE

- (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 25 years ago to present time

- (f) Where were you going from/to? Heaton to Swythamley & vice versa

- (g) For what purpose? (e.g. work, pleasure) pleasure

- (h) How many times a year? (e.g. daily, weekly, seasonal) weekly in summer, odd times at other times

- (i) By what means? (e.g. on foot, horseback, motor vehicle etc) foot & horseback

- (j) Is, or was, the way a short cut for you? Sometimes

- (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?

If at different places please provide details and years.

Stockmeadows farm, Meerbrook  
until 1982. Thornylesgh since then

---

3. (a) How wide is the way? 6ft in places. 15ft elsewhere

(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? At 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 so, 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 not, 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?

Always kept to route

---

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

*Gate as marked*

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

(c) 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) Have you ever known of, excluding locked gates, any other obstructions to the way? \*YES/NO

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

*fallen trees*

(ii) When they were erected or removed?

*removed last year*

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

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

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

(e) 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?

(f) 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?

---

10. (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.

---

11. (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, please state (i) Who told you?

(ii) When you were told?

(iii) What were you told?

---

12. (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 so, please state what the notices said and show their approximate position on the attached plan.

---

13. (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

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

---

14. (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 so, who gave you permission?

(d) When were you given permission?

(e) For what purpose were you given permission to use the way?



15. (a) Have you seen other people using the way?

\*YES/~~NO~~

(b) How were they using the way (i.e. foot, horse)? *foot & horse*

(c) Were they accompanying you? If so, please give details.  
(i.e. companions, rambling club, family, etc.) *sometimes, friends*

(d) If they were not accompanying you, were these people known to you? *sometimes*

(e) How frequently did you see other people using the way?  
(i.e. daily, weekly, seasonal etc.) *occasionally*

(f) How many other people, approximately,  
did you see on these occasions? *one or two on each occasion*

(g) Please give any further details of other people's use  
of the way which you feel may be important.

---

16. Have you ever been charged a monetary sum for using the path?  
If so, by whom?

\*~~YES~~/NO

---

17. (a) Do you have any documentary  
evidence about the way?

\*~~YES~~/NO

(b) If so, in what form is this?  
(i.e. maps, photos, etc. please attach a copy if possible)

(c) Would you be willing to make the original document  
available if necessary?

\*YES/NO

---

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

19. 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

*Don't know*

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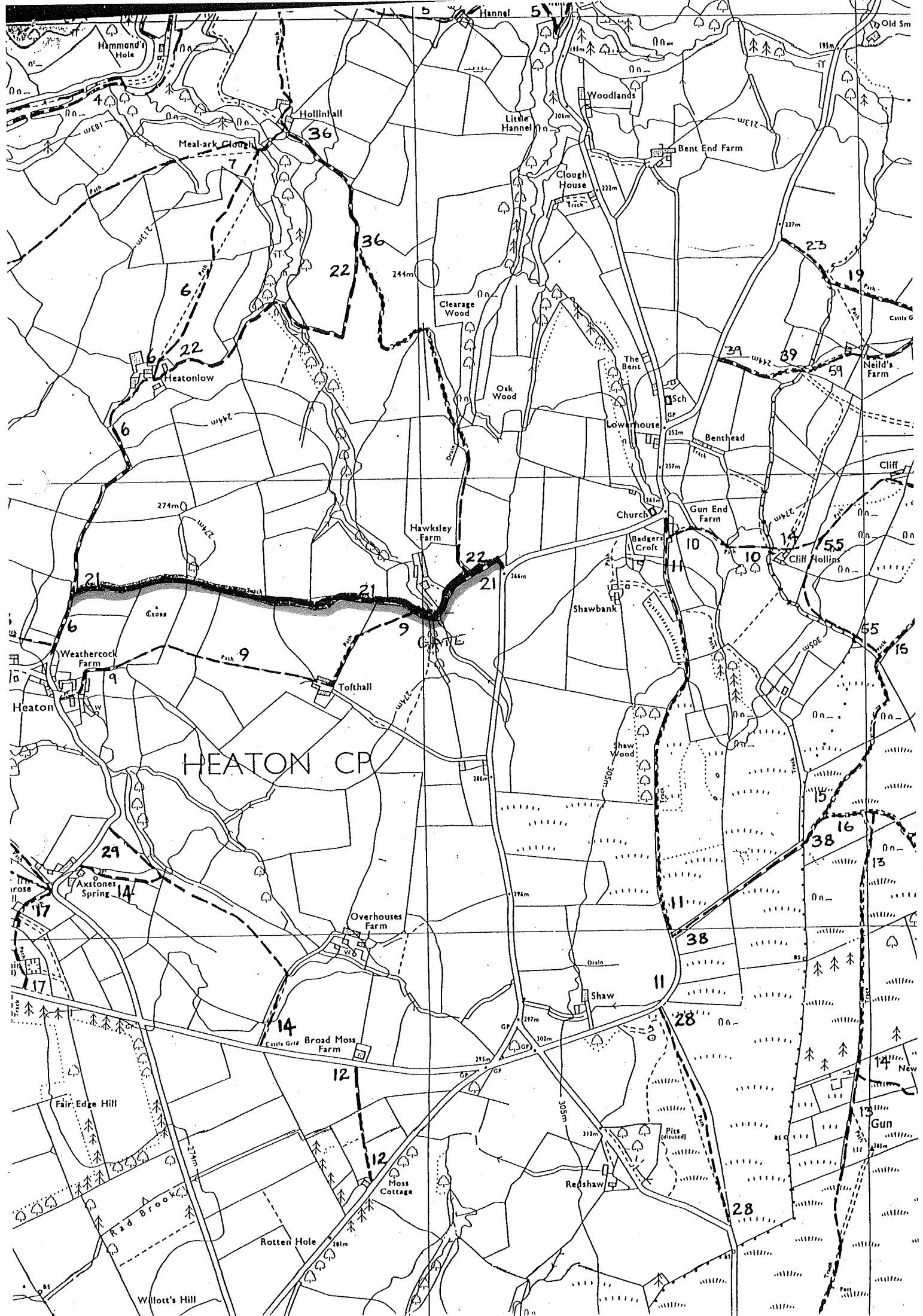
**Please note** that this form will be open to members of the public including affected owners or occupiers of the land crossed by the way.

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

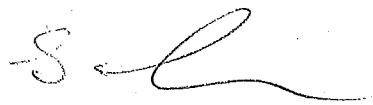
Signature *[Handwritten Signature]* .....

Person taking this statement (if applicable) .....

Date ..... *9/11/02* .....



The route shown in red is the route for which I have completed the "Public Right of Way Evidence form".

Signed: 

S. HINE 9/13/02



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

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Name of witness (Mr/Mrs/Miss/Ms) ..... LYNN E. BERTON .....  
(Block Capitals please)

Address ..... [REDACTED] .....  
(Block Capitals please) [REDACTED]

Telephone No. .... [REDACTED] .....

Date of Birth 05/08/1949 Occupation ..... FORMER .....

**Please attach a map showing the claimed way marked in red.**

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

From HEATON  
To SWYTHAMLEY RD

\*Please delete as appropriate

**Please take time to answer the questions carefully and in full.**

1. (a) How many years have you known the way? 19 YEARS
- (b) Does the way have a popular name? BOGGY TRACK HEATON - SWYTHAMLEY
- (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? 1979 - 99
- (f) Where were you going from/to? HEATON → SWYTHAMLEY
- (g) For what purpose? (e.g. work, pleasure) PLEASURE
- (h) How many times a year? (e.g. daily, weekly, seasonal) WEEKLY FOR 3/4 OF YEAR
- (i) By what means? (e.g. on foot, horseback, motor vehicle etc) HORSEBACK
- (j) Is, or was, the way a short cut for you? NO
- (k) If so why? TO GET OFF ROADS
- (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 AREA

2. When using the path where did you live? RUSHTON SPENCER

If at different places please provide details and years.

3. (a) How wide is the way? 22 FT → 30 FT.

(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? RUSHTON (REDWAYS FARM)

(b) Where did you start and finish your ride? START HERTON FINISH SWYTHAMLEY OR VICE VERSA

(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 so, 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 not, 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? ALWAYS KEPT TO ROUTE

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

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

1 GATE NEAR HOWKESLEY FARM.

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

NO.

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

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

BOG

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

BOG.

(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.

SEVERAL BOGGS  
IN PLACE DUE TO  
NO MAINTENANCE.

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

(d) If Yes to (c),  
(i) What was your employment?

—

(ii) Between what years were you employed?

—

(e) 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?

(f) 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?

10. (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.

---

11. (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, please state (i) Who told you?

(ii) When you were told? —

(iii) What were you told? —

---

12. (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 so, please state what the notices said and show their approximate position on the attached plan. —

---

13. (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

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

---

14. (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 so, who gave you permission? —

(d) When were you given permission? —

(e) For what purpose were you given permission to use the way? —



15. (a) Have you seen other people using the way?

\*YES/NO

(b) How were they using the way (i.e. foot, horse)?

HORSE

(c) Were they accompanying you? If so, please give details.  
(i.e. companions, rambling club, family, etc.)

YES SOMETIMES

(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?  
(i.e. daily, weekly, seasonal etc.)

SEASONAL

(f) How many other people, approximately,  
did you see on these occasions?

1 - 8

(g) Please give any further details of other people's use  
of the way which you feel may be important.

---

16. Have you ever been charged a monetary sum for using the path?  
If so, by whom?

\*YES/NO

---

17. (a) Do you have any documentary  
evidence about the way?

\*YES/NO

(b) If so, in what form is this?  
(i.e. 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

---

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

SURFACE SEVERELY DISTURBED OVER LAST  
FEW YEARS

19. 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~~

---

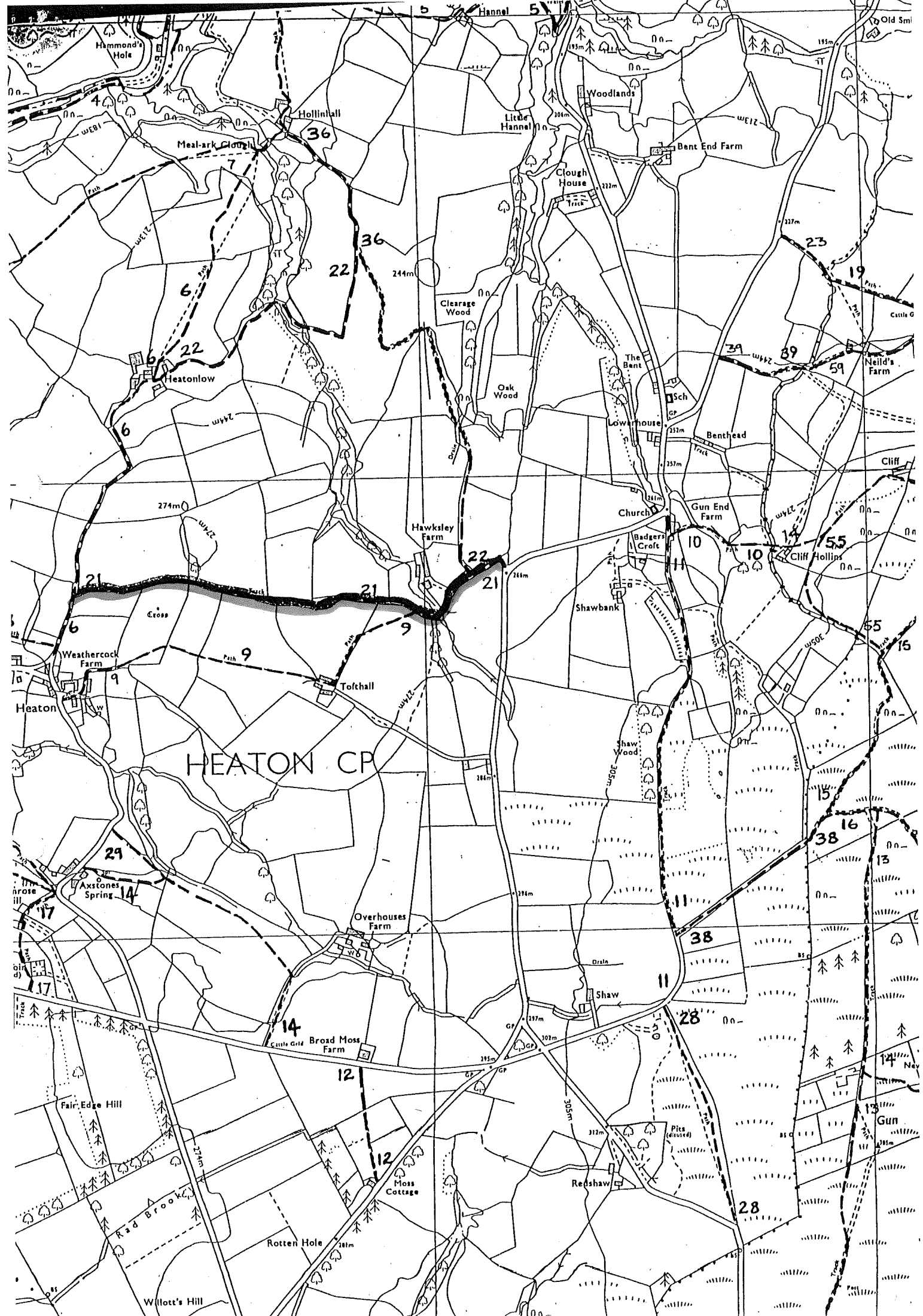
**Please note** that this form will be open to members of the public including affected owners or occupiers of the land crossed by the way.

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

Signature ..... *Ms L.M. Egeston* .....

Person taking this statement (if applicable).....

Date ..... *6/1/01* .....



HEATON CP

Hammond's Hole  
Meal-ark Clough  
Hollinall  
36

Hannel  
51  
Woodlands  
Little Hannel  
204m  
Clough House  
222m  
Bent End Farm

Heatonlow  
6  
22  
244m

Clearage Wood  
Oak Wood  
The Bent  
Lowhouse  
252m  
257m

Benthead  
Sch  
252m  
257m

Hawksley Farm  
22  
241m

Church  
Badgers Croft  
241m

Gun End Farm  
10  
10  
241m

Weathercock Farm  
9  
274m

Totthall  
9  
244m

Shawbank  
11  
241m

Axstones Spring  
14  
29

Overhouses Farm  
14  
241m

Shaw  
11  
257m  
307m

Fair Edge Hill  
274m

Moss Cottage  
12  
281m

Redshaw  
28  
305m  
312m

Rod Brook  
Willott's Hill

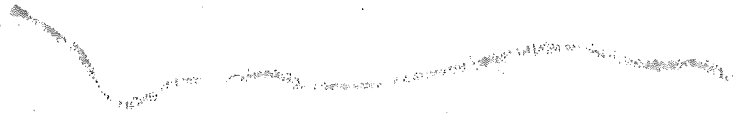
Rotten Hole  
281m

Pica (disused)

Gun  
281m

L. M. Eger  
6/1/01.

THIS IS TO CERTIFY THAT THE TRACK MARKED IN RED  
HEREON IS THE ONE IN QUESTION.



**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) ..... DIANE COLLIER .....  
(Block Capitals please)

Address ..... [REDACTED] .....  
(Block Capitals please)

Telephone No. .... [REDACTED] .....

Date of Birth ..... [REDACTED] ..... Occupation ..... Housewife .....

**Please attach a map showing the claimed way marked in red.**

Description of claimed way:- (include grid references if known)  
From HEATON  
To HAUNLEY FARM

\*Please delete as appropriate

**Please take time to answer the questions carefully and in full.**

1. (a) How many years have you known the way? 15 - 16 yrs.  
(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? 1985 - 2001

(f) Where were you going from/to? Swythamley to Heaton.

(g) For what purpose? (e.g. work, pleasure) pleasure

(h) How many times a year? (e.g. daily, weekly, seasonal) 6-7 times yearly

(i) By what means? (e.g. on foot, horseback, motor vehicle etc) horseback.

(j) Is, or was, the way a short cut for you? NOT Really a short cut.

(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? *Five clouds upperhaine*  
If at different places please provide details and years.

---

3. (a) How wide is the way? *10-30'*  
(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*  
(b) Where did you start and finish your ride? *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 so, 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 not, 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 Same Route.*

7. (a) Have there, to your knowledge, ever been any stiles or gates on the way? *gate at Swythamley end.* \*YES/NO

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

(c) 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) Have you ever known of, excluding locked gates, any other obstructions to the way? \*YES/NO

(b) If so, 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. (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) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? \*YES/NO

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

(e) 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?

(f) 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?

10. (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.

---

11. (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, please state (i) Who told you?

(ii) When you were told?

(iii) What were you told?

---

12. (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 so, please state what the notices said and show their approximate position on the attached plan.

---

13. (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

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

---

14. (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 so, who gave you permission?

(d) When were you given permission?

(e) For what purpose were you given permission to use the way?



15. (a) Have you seen other people using the way?

\*YES/NO

(b) How were they using the way (i.e. foot, horse)?

Foot and Horseback.

(c) Were they accompanying you? If so, please give details.  
(i.e. companions, rambling club, family, etc.)

(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?  
(i.e. daily, weekly, seasonal etc.)

Seasonal.

(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.

---

16. Have you ever been charged a monetary sum for using the path?  
If so, by whom?

\*YES/NO

---

17. (a) Do you have any documentary  
evidence about the way?

\*YES/NO

(b) If so, in what form is this?  
(i.e. 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

---

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

19. 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~~

---

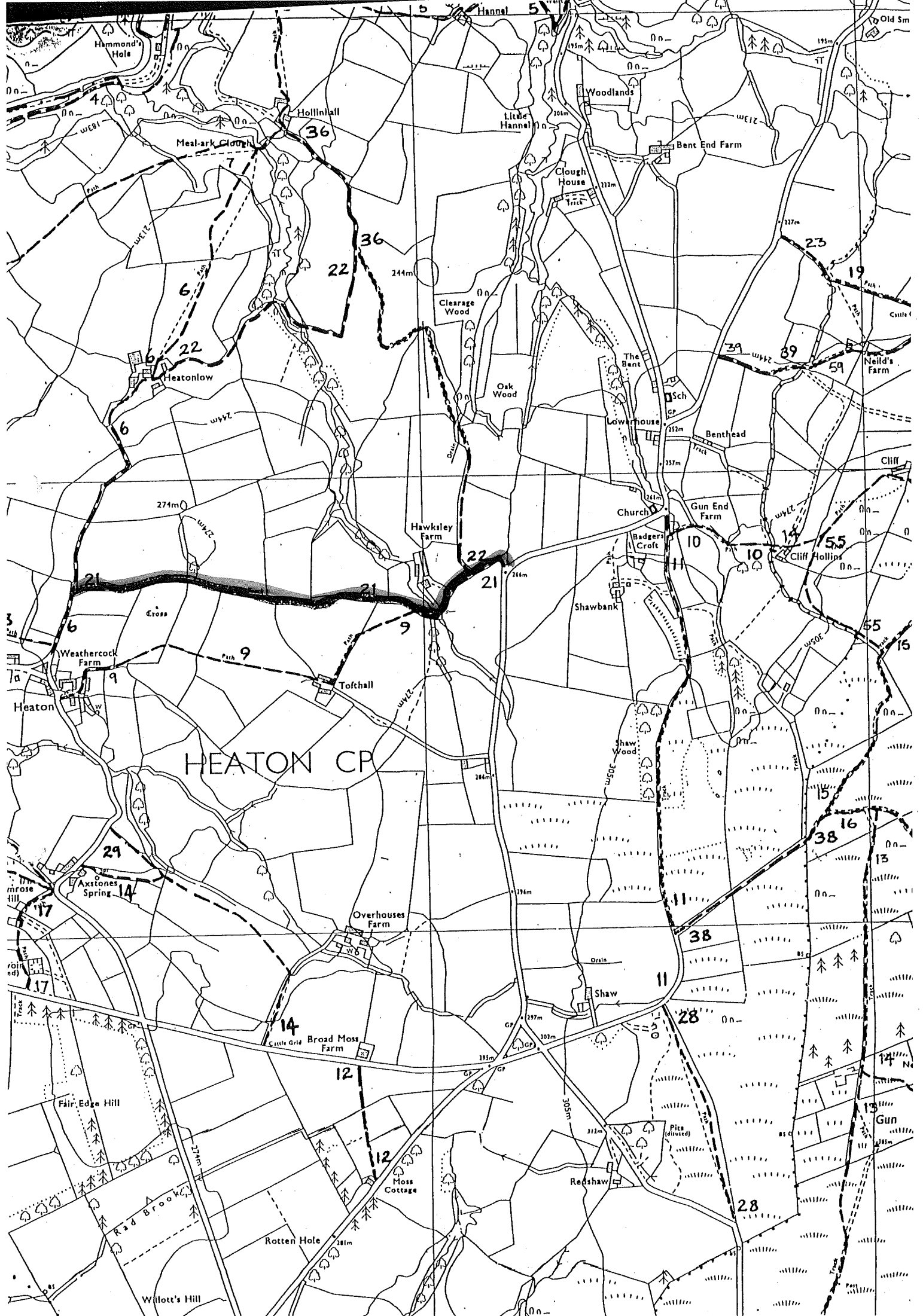
**Please note** that this form will be open to members of the public including affected owners or occupiers of the land crossed by the way.

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

Signature ..... *D Collier* .....

Person taking this statement (if applicable).....

Date ..... *29-5-01* .....



The route shown in red is the route for which I have  
completed the "Public Right of Way Evidence form"

Signed: D Collier



**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) ..... Pat Amies .....  
(Block Capitals please)

Address ..... [REDACTED] .....  
(Block Capitals please)

Telephone No. .... [REDACTED] .....

Date of Birth ..... [REDACTED] Occupation ..... Retired .....

**Please attach a map showing the claimed way marked in red.**

Description of claimed way:- (include grid references if known)  
From Heaton Village 951 628 former RUPP. now  
To Southamby Rd. 961 628 FP 21a.

\*Please delete as appropriate

**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? don't 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? 1986
- (f) Where were you going from/to? Holme Walsfield to same.
- (g) For what purpose? (e.g. work, pleasure) pleasure
- (h) How many times a year? (e.g. daily, weekly, seasonal) Once (see end)
- (i) By what means? (e.g. 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?
- (n) If not why not? No. It is impassable

2. When using the path where did you live? Hulme Walfield  
If at different places please provide details and years.

3. (a) How wide is the way? approx 8'-10' between walls  
(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? At home  
(b) Where did you start and finish your ride? Hulme Walfield  
(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 so, 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 not, 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 or gates on the way?

\*YES/NO but a

piece of string put across way by farmer to prevent cattle going

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

down lane when being fetched in

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

NO & NONE

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

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

\*YES/NO

See above

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

string only across

(ii) When they were erected or removed?

road at cattle milking time

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

Not known

9. (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) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way?

\*YES/NO

(d) If Yes to (c),

(i) What was your employment?

(ii) Between what years were you employed?

(e) 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?

(f) 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?

10. (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.

---

11. (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, please state (i) Who told you?

(ii) When you were told?

(iii) What were you told?

---

12. (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 so, please state what the notices said and show their approximate position on the attached plan.

---

13. (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

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

---

14. (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 so, who gave you permission?

(d) When were you given permission?

(e) For what purpose were you given permission to use the way?

---



15. (a) Have you seen other people using the way?

\*YES/NO

but was told others had ridden it.

(b) How were they using the way (i.e. foot, horse)?

(c) Were they accompanying you? If so, please give details.  
(i.e. 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?  
(i.e. daily, weekly, seasonal etc.)

(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.

see end

16. Have you ever been charged a monetary sum for using the path?  
If so, by whom?

\*YES/NO

NA

17. (a) Do you have any documentary  
evidence about the way?

\*YES/NO

(b) If so, in what form is this?  
(i.e. 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

cannot do this. records in SRO.

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

This road was brought to my notice after I became involved in BWS on a road which had been used in previous years when I first rode it (after several attempts where I was repulsed by the surface conditions) it was full of overgrown willows which had collapsed & formed deep pools. I only managed to ride it on one occasion after a very dry summer. At the other end, I was approached by a gentleman from Hawksley Farm who said "Hello - it's a long time since I've seen a horse down here" which meant he had seen others in his time.

cont'ds  
over leaf

19. 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 will be open to members of the public including affected owners or occupiers of the land crossed by the way.

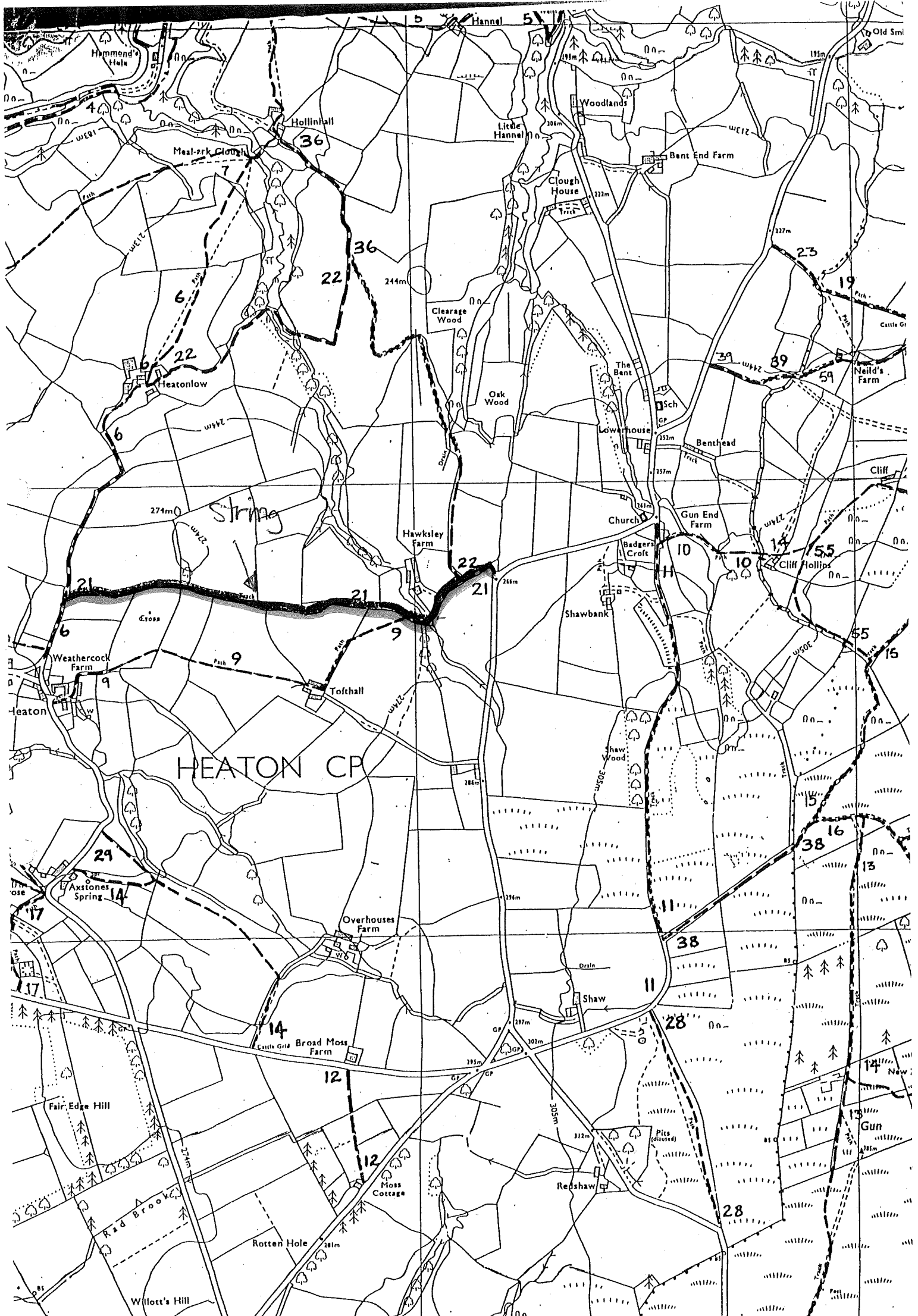
I certify that, to the best of my knowledge and belief, the information I have given in this statement is true.

Signature ..... *P. Amies* .....

Person taking this statement (if applicable).....

Date ..... *4.12.2000* .....

*I have subsequently found that others have used it but have cleared in recent years due to the dreadful conditions underfoot which render the route impassable for most of the year & then only with great care & a sure footed horse.*



This is the note which I have noted

P. Anne

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

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Name of witness (~~Mr~~/Mrs/~~Miss~~/~~Ms~~) ..... MARIE BROUGH .....  
(Block Capitals please)

Address ..... [REDACTED] .....  
(Block Capitals please)

Telephone No. .... [REDACTED] .....

Date of Birth ... [REDACTED] Occupation ..... HOUSEWIFE / SMALL HOLDER .....

**Please attach a map showing the claimed way marked in red.**

Description of claimed way:- (include grid references if known)  
From LEATON VILLAGE  
To HAWKESLEY FARM

\*Please delete as appropriate

**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?  
The 15 years I have lived in the area 1987 - 2001
- (f) Where were you going from/to?
- (g) For what purpose? (e.g. work, pleasure) PLEASURE
- (h) How many times a year? (e.g. daily, weekly, seasonal)
- (i) By what means? (e.g. on foot, horseback, motor vehicle etc) on foot and on horseback
- (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? No
- (n) If not why not? Because the way has become too dangerous because of exceptionally boggy areas

2. When using the path where did you live? *At the address given and marked ⊗ on enclosed map*  
If at different places please provide details and years.

---

3. (a) How wide is the way? *10 - 30'*

(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 the address given at the start of this form and marked ⊗ on the map*

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

*As in 4(a)*

(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 so, how often and what type of vehicle were they using?

*X*

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

\*YES/NO *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 not, 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?

*Always kept to the route*

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

\*YES/~~NO~~

(b) If so, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed. *Gate marked after Hawksley farm yard. It has never been locked when I have used the way.*

(c) If any gates on the way were ever locked please state, how often, and if known, by whom? *Gate never been locked*

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

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

\*YES/~~NO~~

(b) If so, state (i) what type of obstruction was this? *Overgrown and fallen trees*

(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. (a) Were you ever an owner or tenant of the land crossed by the way?  
If YES please give dates.

\*~~YES/NO~~ No

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way?  
If YES please give dates.

\*YES/NO N/A

(c) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way?

\*~~YES~~/NO

(d) If Yes to (c),

(i) What was your employment?

(ii) Between what years were you employed?

(e) 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?

(ii) If so, what were your instructions?

\*YES/NO N/A

(f) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way?  
If so, what was their relationship to you?

\*~~YES~~/NO

10. (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.

---

11. (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, please state (i) Who told you?

(ii) When you were told?

(iii) What were you told?

---

12. (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 so, please state what the notices said and show their approximate position on the attached plan.

---

13. (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~~

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

---

14. (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 so, who gave you permission?

(d) When were you given permission?

(e) For what purpose were you given permission to use the way?



15. (a) Have you seen other people using the way?

\*YES/NO

(b) How were they using the way (i.e. foot, horse)? *On foot and on horseback*

(c) Were they accompanying you? If so, please give details.  
(i.e. companions, rambling club, family, etc.)

*No*

(d) If they were not accompanying you, were these people known to you?

*No - walkers  
Yes - riders*

(e) How frequently did you see other people using the way?  
(i.e. daily, weekly, seasonal etc.) *It is a route not easily visible unless you are actually on it, so it is difficult to assess its use.*

(f) How many other people, approximately, did you see on these occasions?

*Walkers - usually two / three at a time  
Horse riders - usually one / two at a time*

(g) Please give any further details of other people's use of the way which you feel may be important.

---

16. Have you ever been charged a monetary sum for using the path?  
If so, by whom?

\*YES/NO

---

17. (a) Do you have any documentary evidence about the way?

\*YES/NO

(b) If so, in what form is this?  
(i.e. maps, photos, etc. please attach a copy if possible)

(c) Would you be willing to make the original document available if necessary?

\*YES/NO

---

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

19. 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~~

---

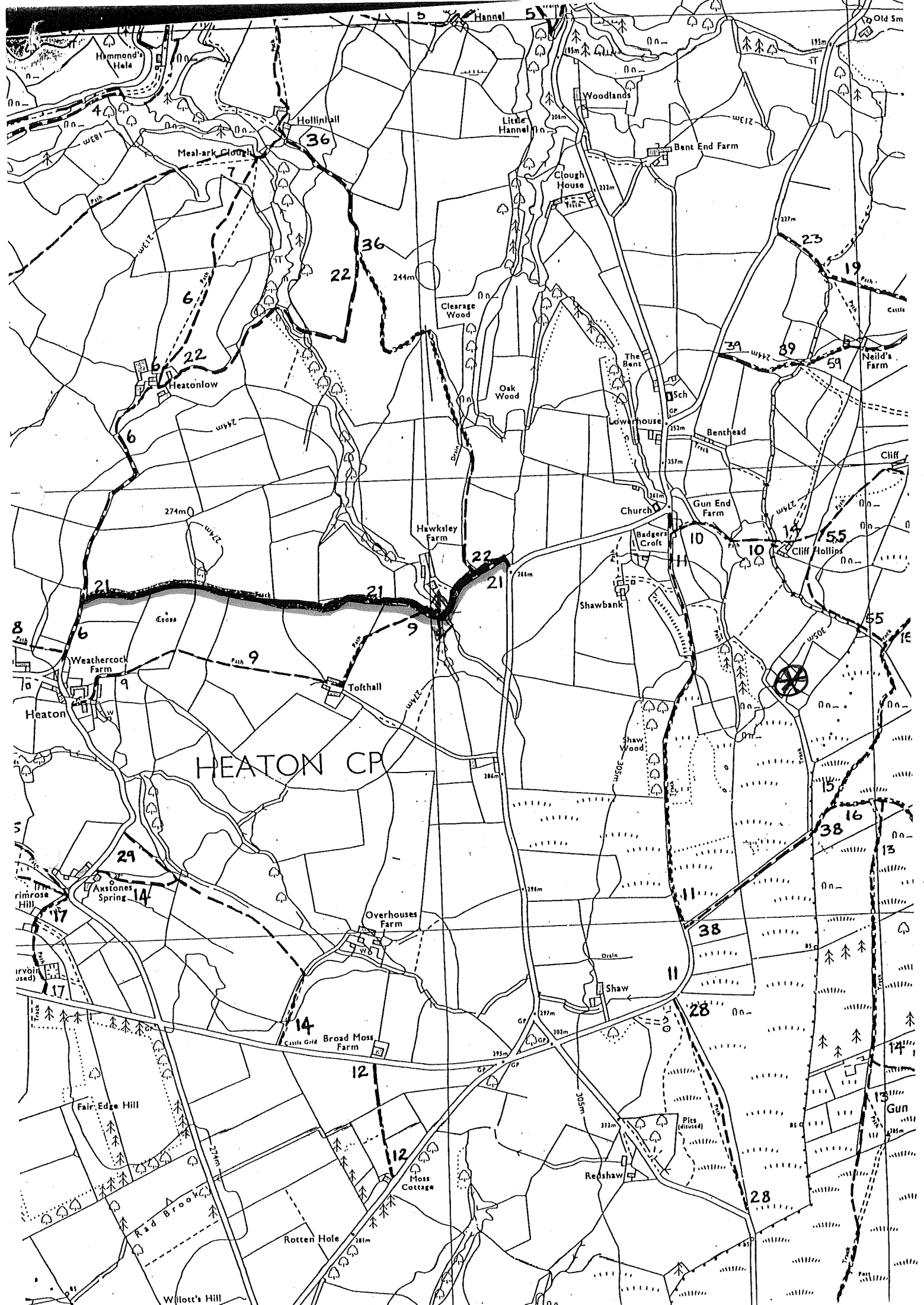
**Please note** that this form will be open to members of the public including affected owners or occupiers of the land crossed by the way.

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

Signature ..... *Tara Brown* .....

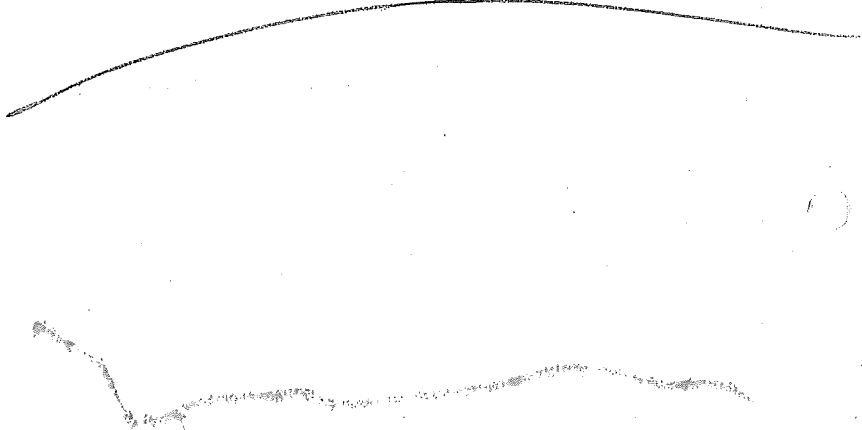
Person taking this statement (if applicable)..... X .....

Date ..... *11/5/01* .....



This is the route I have used (marked in red)  
and for which I have completed the evidence form.

Naive Bayes



**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) ..... Joanne Bolwood .....  
(Block Capitals please)

Address ..... [REDACTED] .....  
(Block Capitals please)

Telephone No. .... [REDACTED] .....

Date of Birth ..... [REDACTED] .. Occupation ..... Kenel & cattery owner .....

**Please attach a map showing the claimed way marked in red.**

Description of claimed way:- (include grid references if known)  
From Hawksley Farm  
To Heaton village

\*Please delete as appropriate

**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? Hawksley 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 1988 to the present day.
- (f) Where were you going from/to?
- (g) For what purpose? (e.g. work, pleasure) pleasure
- (h) How many times a year? (e.g. daily, weekly, seasonal) seasonal.
- (i) By what means? (e.g. on foot, horseback, motor vehicle etc) Foot & 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?

Whiteshaw Farm  
Heaton.

If at different places please provide details and years.

---

3. (a) How wide is the way? Varies From 2ft to 10ft 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?

Whiteshaw Farm.

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

Whiteshaw Farm (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 so, 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 not, 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 or gates on the way?

\*YES/NO

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

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

X state whether locked or not

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

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

\*YES/NO

(b) If so, 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. (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) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way?

\*YES/NO

(d) If Yes to (c),

(i) What was your employment?

(ii) Between what years were you employed?

(e) 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?

(f) 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?

10. (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.

---

11. (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, please state (i) Who told you?

(ii) When you were told?

(iii) What were you told?

---

12. (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 so, please state what the notices said and show their approximate position on the attached plan.

---

13. (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

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

---

14. (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 so, who gave you permission?

(d) When were you given permission?

(e) For what purpose were you given permission to use the way?



15. (a) Have you seen other people using the way?

\*YES/NO

(b) How were they using the way (i.e. foot, horse)? on foot & on Horseback

(c) Were they accompanying you? If so, please give details.  
(i.e. companions, rambling club, family, etc.)

no.

(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?  
(i.e. 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.

---

16. Have you ever been charged a monetary sum for using the path?  
If so, by whom?

\*YES/NO

---

17. (a) Do you have any documentary  
evidence about the way?

\*YES/NO

(b) If so, in what form is this?  
(i.e. maps, photos, etc. please attach a copy if possible)

(c) Would you be willing to make the original document  
available if necessary?

\*YES/NO

---

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

19. 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

---

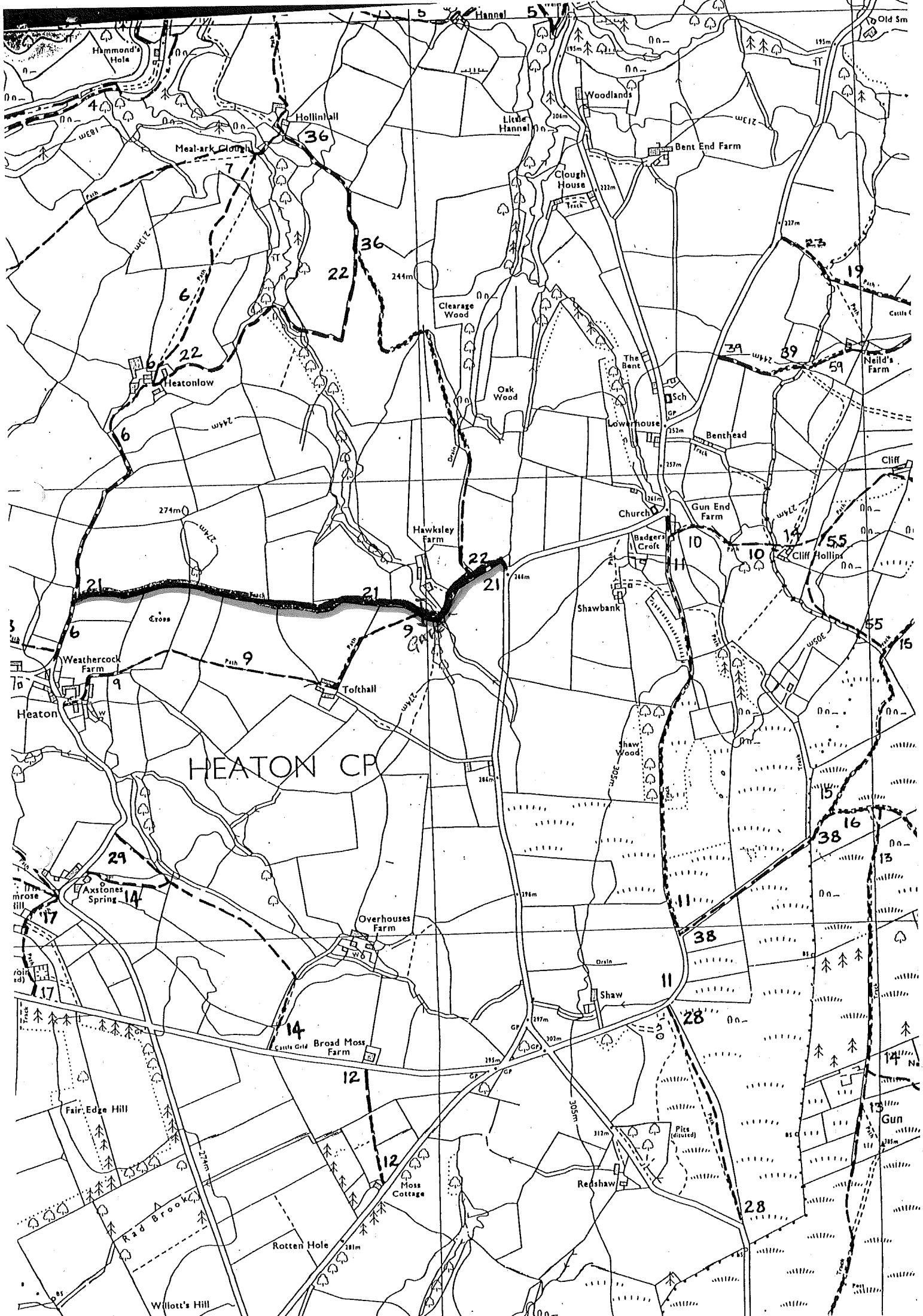
**Please note** that this form will be open to members of the public including affected owners or occupiers of the land crossed by the way.

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

Signature ..... *J. B. ...* .....

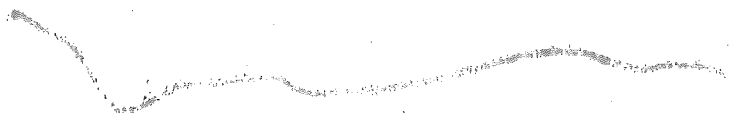
Person taking this statement (if applicable)..... *X* .....

Date ..... *26/05/01* .....



The Route marked in Red  
is the ride in question

J. Barcock 26/05/01.



**PUBLIC RIGHT OF WAY EVIDENCE FORM**  
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Name of witness (Mr/Mrs/Miss/Ms) ..... <sup>DR.</sup> LINDA BISHOP .....  
(Block Capitals please)

Address ..... [REDACTED] .....  
(Block Capitals please)

Telephone No. .... [REDACTED] .....

Date of Birth [REDACTED] Occupation ..... VETERINARY SURGEON .....

**Please attach a map showing the claimed way marked in red.**

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

From HERTON  
To SWITHAMLEY ROAD

\*Please delete as appropriate

**Please take time to answer the questions carefully and in full.**

1. (a) How many years have you known the way? 10 YEARS
- (b) Does the way have a popular name? HAWKESLEY 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? 1990 - 96
- (f) Where were you going from/to? HERTON - SWITHAMLEY
- (g) For what purpose? (e.g. work, pleasure) PLEASURE
- (h) How many times a year? (e.g. daily, weekly, seasonal) SEASONAL
- (i) By what means? (e.g. on foot, horseback, motor vehicle etc) HORSEBACK
- (j) Is, or was, the way a short cut for you? NO
- (k) If so why? PROVIDES SAFER OFF ROAD RIDING
- (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? ONLY IF WEATHER VERY DRY
- (n) If not why not? SURFACE TOO BOGGY - DANGEROUS

2. When using the path where did you live?

HEATON

If at different places please provide details and years.

---

3. (a) How wide is the way?

10 - 20 FEET

(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?

PRIMROSE HILL, HEATON

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

START HEATON WHARF FINISH  
WAWKESLEY FARM OR VICINITY

(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 so, 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 not, 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?

ALWAYS KEPT TO  
ROUTE

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

\*YES/NO

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

GATE NEAR  
HAWKLEY FIRM

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

NOT LOCKED

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

---

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

\*YES/NO

(b) If so, 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. (a) Were you ever an owner or tenant of the land crossed by the way?  
If YES please give dates.

\*YES/NO

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way?  
If YES please give dates.

\*YES/NO

(c) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way?

\*YES/NO

(d) If Yes to (c),  
(i) What was your employment?

(ii) Between what years were you employed?

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

\*YES/NO

(f) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way?  
If so, what was their relationship to you?

\*YES/NO

10. (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.

---

11. (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, please state (i) Who told you?

(ii) When were you told?

(iii) What were you told?

---

12. (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 so, please state what the notices said and show their approximate position on the attached plan.

---

13. (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 (FOOTPATH SIGN INSTALLED RECENTLY)

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

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

---

14. (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 so, who gave you permission?

(d) When were you given permission?

(e) For what purpose were you given permission to use the way?



15. (a) Have you seen other people using the way? \*YES/NO
- (b) How were they using the way (i.e. foot, horse)? HORSE
- (c) Were they accompanying you? If so, please give details. (i.e. companions, rambling club, family, etc.) NO
- (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? (i.e. daily, weekly, seasonal etc.) SEASONAL
- (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.

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

- 
17. (a) Do you have any documentary evidence about the way? \*YES/NO
- (b) If so, in what form is this? (i.e. 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

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

THE WAY IS MARKED AS A ROAD ON MAPS IN THE 1800'S  
IT WAS PRESENT BEFORE MANY ROADS IN TITERRA  
AND BEFORE THE ENCLOSURE AWARDS -  
THE ORIGINAL ENTRANCE TO TOFT HALL WAS  
FROM THIS ROAD.

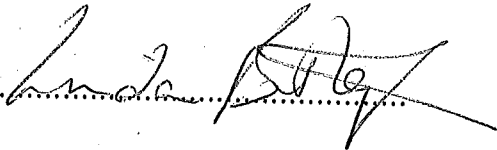
19. Would you be prepared to give evidence of your use of the way at a public inquiry or in a court of law, if necessary?

\*YES/~~NO~~

---

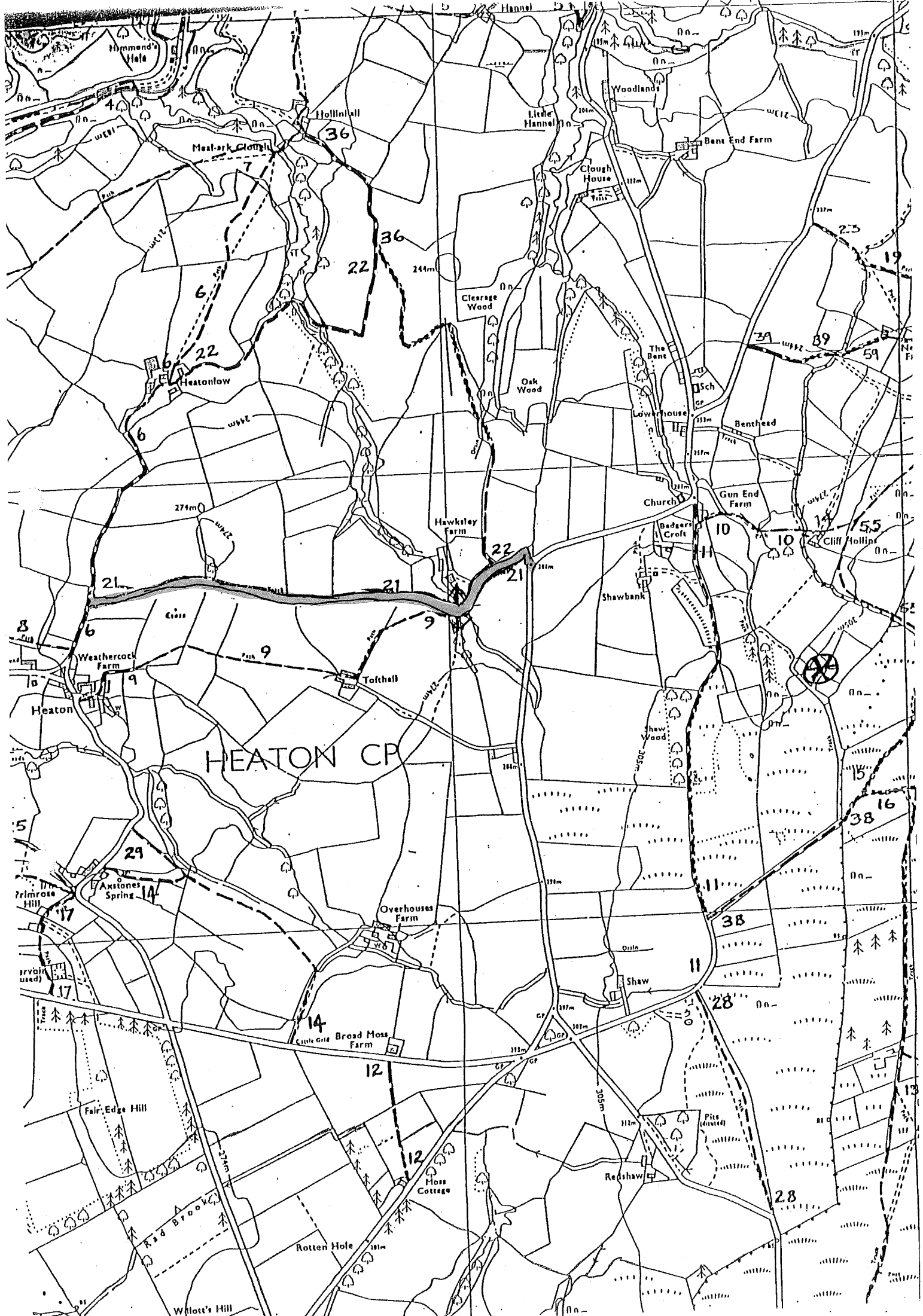
**Please note** that this form will be open to members of the public including affected owners or occupiers of the land crossed by the way.

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

Signature ..... 

Person taking this statement (if applicable).....

Date ..... 2/5/01 .....



This is to certify that the track marked in red overleaf is the one in question.

Signed.....

Date.....

*[Handwritten Signature]*  
*[Handwritten Date: 2/5/01]*



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

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Name of witness (Mr/Mrs/Miss/Ms) ..... Jill PUMBLEY .....  
(Block Capitals please)

Address ..... [REDACTED] .....  
(Block Capitals please)

Telephone No. .... [REDACTED] .....

Date of Birth [REDACTED] Occupation ..... CARE ASSISTANT .....

**Please attach a map showing the claimed way marked in red.**


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

From HEATON  
To SWYTHAMLEY RD

\*Please delete as appropriate

**Please take time to answer the questions carefully and in full.**

1. (a) How many years have you known the way? 10
- (b) Does the way have a popular name?
- (c) Have you personally used the above way? YES \*YES/NO
- (d) Did you only use part of the way? NO \*YES/NO
- Please do not use vague terms such as "often".**
- (e) During which years have you used the way? 1991 to 2001
- (f) Where were you going from/to? SWYTHAMLEY TO HEATON
- (g) For what purpose? (e.g. work, pleasure) PLEASURE
- (h) How many times a year? (e.g. daily, weekly, seasonal) WEEKLY
- (i) By what means? (e.g. on foot, horseback, motor vehicle etc) ON HORSEBACK AND 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? CLIFF FARM  
If at different places please provide details and years. Marked on map  


---

3. (a) How wide is the way? APPROX BETWEEN 10' AND 30'  
(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 CLIFF FARM.  
(b) Where did you start and finish your ride? AT CLIFF FARM.  
(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 so, 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? 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/NO  
(b) If not, 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 ROUTE.

---

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

YES.

~~\*YES/NO~~

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

AT GATE AT THE BEGINNING OF SOUTHWAY END NOT LOCKED.

(c) 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) Have you ever known of, excluding locked gates, any other obstructions to the way?

\*YES/NO

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

THERE WAS FOLIAGE

(ii) When they were erected or removed?

WHICH BORDER BRIDLEWAYS HELPED TO CLEAR.

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

9. (a) Were you ever an owner or tenant of the land crossed by the way?  
If YES please give dates.

\*YES/NO

(b) If you were an owner or tenant did you acknowledge the route as a Public Right of Way?  
If YES please give dates.

\*YES/NO

(c) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way?

\*YES/NO

(d) If Yes to (c),

(i) What was your employment?

(ii) Between what years were you employed?

(e) 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?

(ii) If so, what were your instructions?

\*YES/NO

(f) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way?  
If so, what was their relationship to you?

\*YES/NO

10. (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.

---

11. (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, please state (i) Who told you?

(ii) When you were told?

(iii) What were you told?

---

12. (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 so, please state what the notices said and show their approximate position on the attached plan.

---

13. (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

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

---

14. (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 so, who gave you permission?

(d) When were you given permission?

(e) For what purpose were you given permission to use the way?

---



15. (a) Have you seen other people using the way?

\*YES/~~NO~~

(b) How were they using the way (i.e. foot, horse)?

ON HORSE

(c) Were they accompanying you? If so, please give details.  
(i.e. 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?  
(i.e. daily, weekly, seasonal etc.)

DAILY

(f) How many other people, approximately,  
did you see on these occasions?

2 or 3

(g) Please give any further details of other people's use  
of the way which you feel may be important.

MANYPeople USE THE  
ROUTE ON HORSEBACK.  
THERE ARE NOT MANY ROUTES OFF  
THE ROAD LEGALLY.

16. Have you ever been charged a monetary sum for using the path?  
If so, by whom?

\*YES/NO

17. (a) Do you have any documentary  
evidence about the way?

\*YES/NO

(b) If so, in what form is this?  
(i.e. maps, photos, etc. please attach a copy if possible)

(c) Would you be willing to make the original document  
available if necessary?

\*YES/NO

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

THE PATH IS A VERY IMPORTANT ROUTE  
FOR PEOPLE ON HORSEBACK.

19. 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~~

---

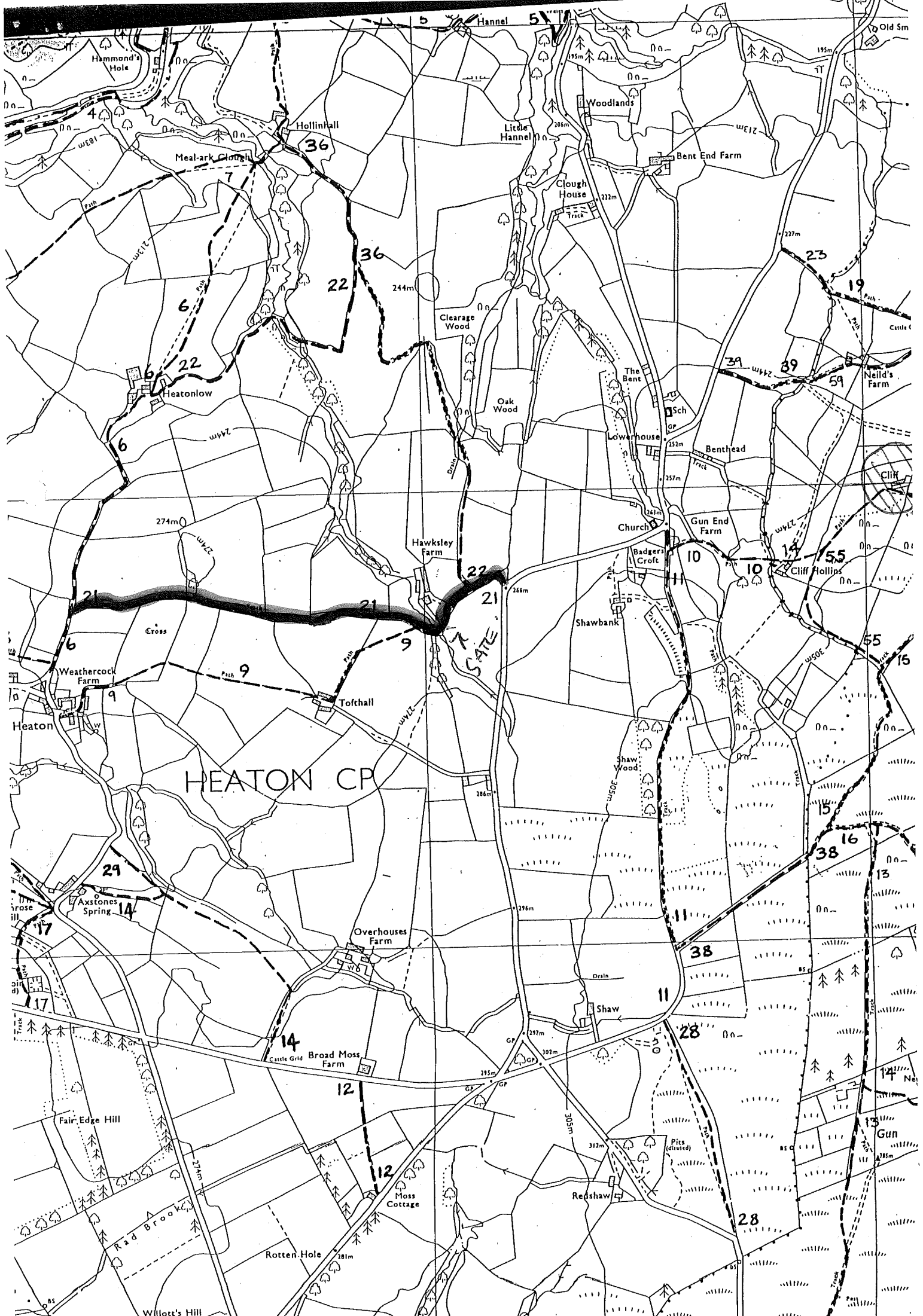
**Please note** that this form will be open to members of the public including affected owners or occupiers of the land crossed by the way.

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

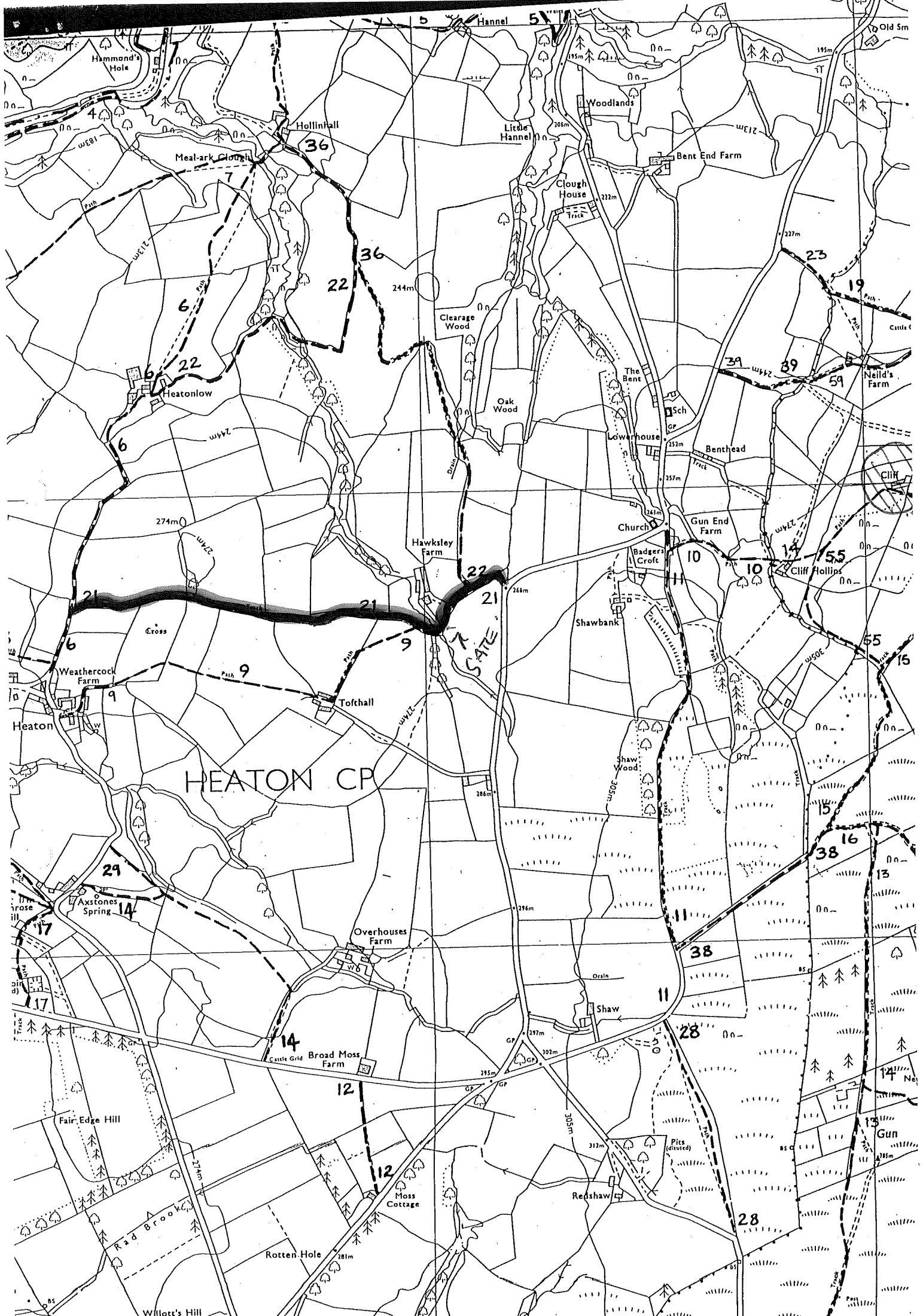
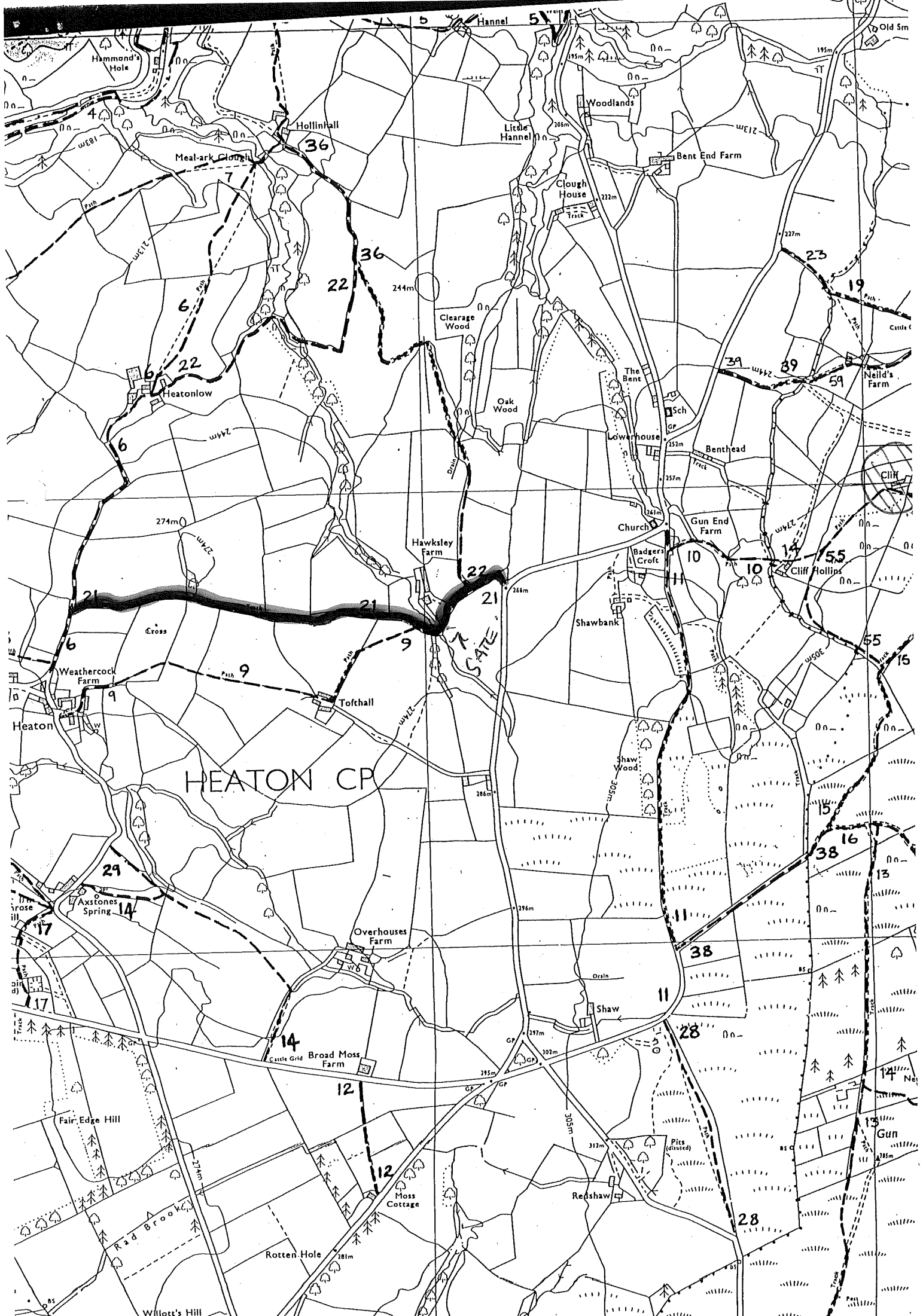
Signature ..... Julie Curby .....

Person taking this statement (if applicable).....

Date ..... 12.05.01 .....



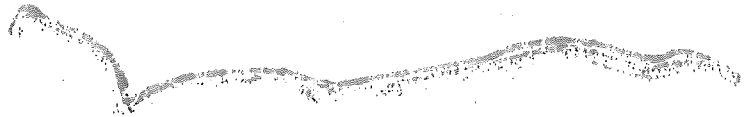
HEATON CP



The route shown in red is the route for which I have completed the "Public Right of Way Evidence form"

Signed :

Julie Plumbly,



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

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Name of witness (Mr/Mrs/Miss/Ms) SHIRLEY GEDWIN.....  
(Block Capitals please)

Address .....  
(Block Capitals please)

Telephone No. ....

Date of Birth .. 1/3/59 .. Occupation FARMER.....

**Please attach a map showing the claimed way marked in red.**

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

To Hawkstone Farm

\*Please delete as appropriate

**Please take time to answer the questions carefully and in full.**

1. (a) How many years have you known the way? 10
- (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? 1994/5
- (f) Where were you going from/to? HACKING GENERALLY
- (g) For what purpose? (e.g. work, pleasure) PLEASURE
- (h) How many times a year? (e.g. daily, weekly, seasonal) SEASONAL
- (i) By what means? (e.g. 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? NO
- (n) If not why not? IMPASSABLE - BUCKY

2. When using the path where did you live? AS BEFORE

If at different places please provide details and years.

---

3. (a) How wide is the way? 10 x 20

(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? HAWKESLEY FARM

(b) Where did you start and finish your ride? HAWKESLEY FARM

(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 so, 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 not, 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? NO. 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 or gates on the way? \* YES/NO  
YES AT HAWKLEY FARM

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

(c) 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) Have you ever known of, excluding locked gates, any other obstructions to the way? \* YES/NO

(b) If so, 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. (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) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? \* YES/NO

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

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

(f) 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?

10. (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.

---

11. (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, please state (i) Who told you?

(ii) When you were told?

(iii) What were you told?

---

12. (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 so, please state what the notices said and show their approximate position on the attached plan.

---

13. (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

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

---

14. (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 so, who gave you permission?

(d) When were you given permission?

(e) For what purpose were you given permission to use the way?



15. (a) Have you seen other people using the way?

\*YES/NO

(b) How were they using the way (i.e. foot, horse)?

(c) Were they accompanying you? If so, please give details.  
(i.e. companions, rambling club, family, etc.)

(d) If they were not accompanying you, were these people known to you?

(e) How frequently did you see other people using the way?  
(i.e. daily, weekly, seasonal etc.)

(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.

---

16. Have you ever been charged a monetary sum for using the path?  
If so, by whom?

\*YES/NO

---

17. (a) Do you have any documentary  
evidence about the way?

\*YES/NO

(b) If so, in what form is this?  
(i.e. maps, photos, etc. please attach a copy if possible)

(c) Would you be willing to make the original document  
available if necessary?

\*YES/NO

---

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

19. 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

---

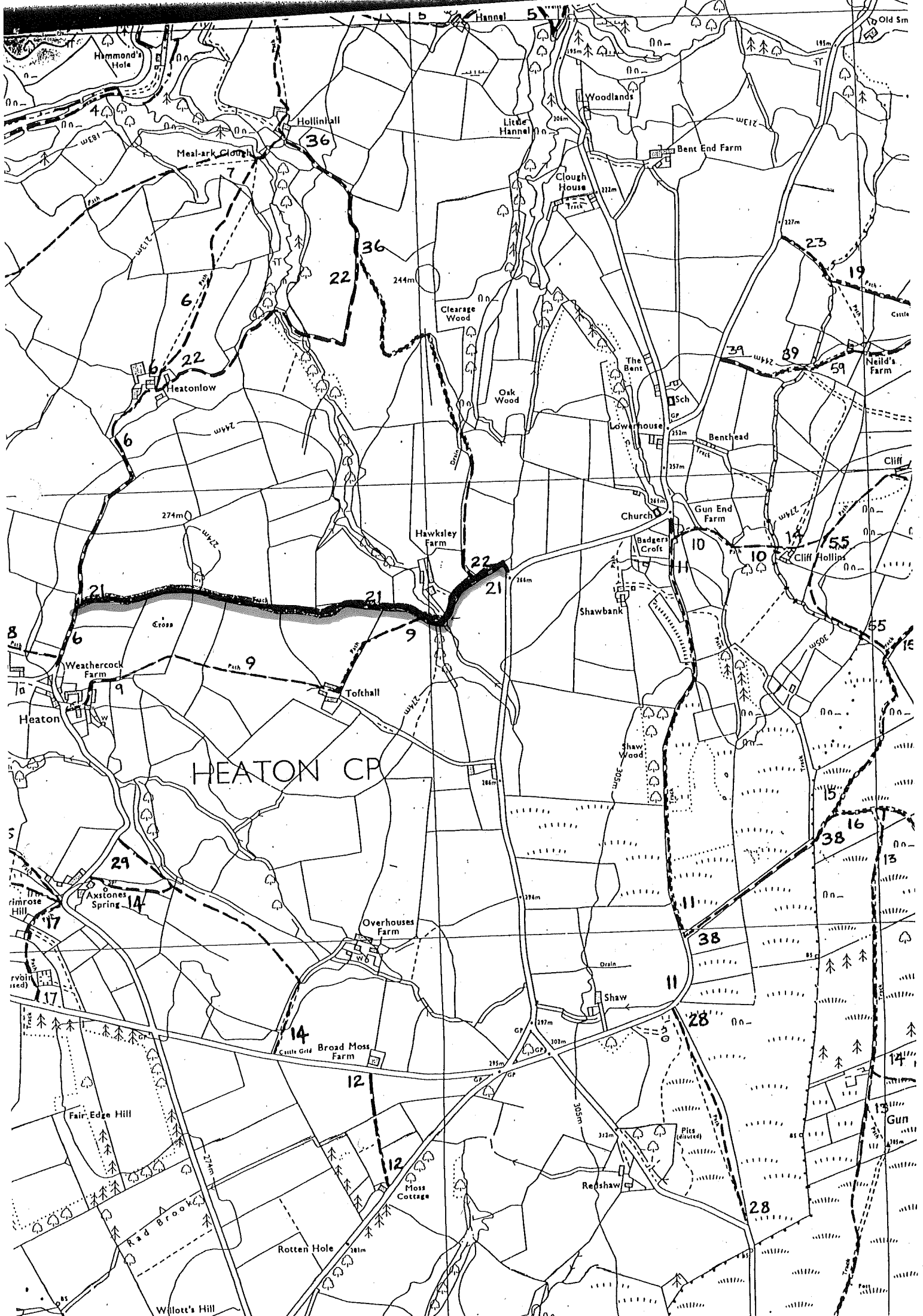
**Please note** that this form will be open to members of the public including affected owners or occupiers of the land crossed by the way.

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

Signature ..... *SK Godwin* .....

Person taking this statement (if applicable) .....

Date ..... *3/5/01* .....



HEATON CP

Map labels and features include:  
- Farms: Heaton, Weathercock Farm, Axstones Spring, Broad Moss Farm, Overhouses Farm, Gun End Farm, Bent End Farm, Neild's Farm, Gun, Redshaw, Moss Cottage, Fair Edge Hill, Willott's Hill, Rotten Hole, Heatonlow, Heaton, Weathercock Farm, Axstones Spring, Broad Moss Farm, Overhouses Farm, Gun End Farm, Bent End Farm, Neild's Farm, Gun, Redshaw, Moss Cottage, Fair Edge Hill, Willott's Hill, Rotten Hole.  
- Buildings: Clough House, Low House, Church, Badgers Croft, Shawbank, Shaw, Gun.  
- Woods: Clearage Wood, Oak Wood, Shaw Wood, Woodlands.  
- Water Features: Meal-ark Clough, Rotten Hole, Fair Edge Hill, Willott's Hill, Kad Brook, Rotten Hole.  
- Topography: Fair Edge Hill, Willott's Hill, Rotten Hole.  
- Numerical Identifiers: 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60.  
- Other: Hammond's Hole, Hollin Hall, Little Hannel, Woodlands, Bent End Farm, Clough House, Low House, Church, Badgers Croft, Shawbank, Shaw, Gun, Redshaw, Moss Cottage, Fair Edge Hill, Willott's Hill, Rotten Hole, Kad Brook, Rotten Hole, Fair Edge Hill, Willott's Hill, Rotten Hole.

This is to certify that the route marked in red is the one  
for which a "Public Right of Way Evidence form" has been  
completed

Signed SK Goodwin

3/5/01

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

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Name of witness (Mr/Mrs/Miss/Ms) ..... SUSAN ALLEN .....  
(Block Capitals please)

Address ..... THE GIMS, STATION ROAD, RUSHTON, BENCHEL, SKILORN .....  
(Block Capitals please)

Telephone No. .... 01226 226500 .....

Date of Birth ..... 22/08/1963 ..... Occupation ..... ADMINISTRATOR .....

**Please attach a map showing the claimed way marked in red.**

Description of claimed way:- (include grid references if known) RIGHT OF WAY NO. 21  
From HEATON HEATON PARISH.  
To SWYTHAMLEY

\*Please delete as appropriate

**Please take time to answer the questions carefully and in full.**

1. (a) How many years have you known the way? APPROX 5 YEARS  
(b) Does the way have a popular name? NOT THAT I KNOW 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? EACH YEAR FROM 1996

(f) Where were you going from/to? FROM TOP OF HEATON THROUGH TO SWYTHAMLEY

(g) For what purpose? (e.g. work, pleasure) PLEASURE

(h) How many times a year? (e.g. daily, weekly, seasonal) WEEKLY

(i) By what means? (e.g. on foot, horseback, motor vehicle etc) HORSEBACK

(j) Is, or was, the way a short cut for you? NO, PART OF A CIRCULAR RIDE.

(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 WHEN PASSABLE.

(n) If not why not? P & M RESTRICTIONS AT THE MOMENT. DIFFICULT TO USE IN WINTER AS IT IS VERY BOGGY & WET.

2. When using the path where did you live? *Only at address on front page*  
If at different places please provide details and years.

---

3. (a) How wide is the way? *Varies - perhaps between 4ft & 10ft*  
(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? *RUSHTON*  
(b) Where did you start and finish your ride? *Rushton Start & finish*  
(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 so, 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 not, 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 or gates on the way?

\*YES/NO

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

one gate at the Hawksley farm end.

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

never

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

---

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

\*YES/NO

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

Fallen bushes & trees

(ii) When they were erected or removed?

eventually cut back months after falling

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

---

9. (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) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way?

\*YES/NO

(d) If Yes to (c),

(i) What was your employment?

(ii) Between what years were you employed?

(e) 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?

(f) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? If so, what was their relationship to you?

\*YES/NO

10. (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.

---

11. (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, please state (i) Who told you?

(ii) When you were told?

(iii) What were you told?

---

12. (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 so, please state what the notices said and show their approximate position on the attached plan.

---

13. (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

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

---

14. (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 so, who gave you permission?

(d) When were you given permission?

(e) For what purpose were you given permission to use the way?

---



15. (a) Have you seen other people using the way?

\*YES/NO

(b) How were they using the way (i.e. foot, horse)?

on foot and on horse

(c) Were they accompanying you? If so, please give details.  
(i.e. companions, rambling club, family, etc.)

Companions & other walker

(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?  
(i.e. daily, weekly, seasonal etc.)

usually only after dry spells of weather when path more

(f) How many other people, approximately,  
did you see on these occasions?

Two or three

accessible

(g) Please give any further details of other people's use  
of the way which you feel may be important.

---

16. Have you ever been charged a monetary sum for using the path?  
If so, by whom?

\*YES/NO

---

17. (a) Do you have any documentary  
evidence about the way?

\*YES/NO

(b) If so, in what form is this?

(i.e. maps, photos, etc. please attach a copy if possible)

(c) Would you be willing to make the original document  
available if necessary?

\*YES/NO

---

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

19. 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 will be open 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 in this statement is true.

Signature ..... *S. Allen* .....

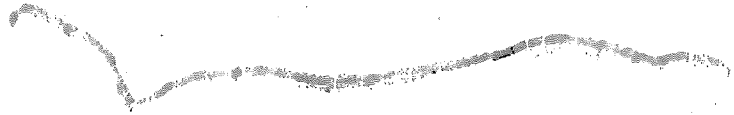
Person taking this statement (if applicable)..... *Susan* .....

Date ..... *06.06.01* .....



This is to certify that the route shown in red is  
the one for which I have completed a "Public  
Right of Way Evidence form"

Signed: S. Allen



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..... MARK CONNELLY  
(Block Capitals please)

Address ..... [REDACTED]  
(Block Capitals please) ..... [REDACTED]

Date of Birth ..... [REDACTED] Occupation..... DIRECTOR

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

From Heaton Village  
To Swythamley

\* Please delete as appropriate

1. How many years have you known the way?

4

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?

At its widest c30ft at its narrowest c14ft

4. Have you used the above way?

YES  NO

If so: (a) During which years?

1999 to Date

(b) Where were you going from/to? HEATON To Swythamley / Gun / Roaches / Meekbrook

(c) For what purpose? (eg work, pleasure) Pleasure

(d) How many times a year? (eg daily)

(e) By what means? (eg on

foot, horseback,  
motor vehicle etc)

Horseback

Twice a Week.

(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.

Counterbalanced gate at the  
Swythamley end.

---

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 .....

Person taking this statement.....

Date.....

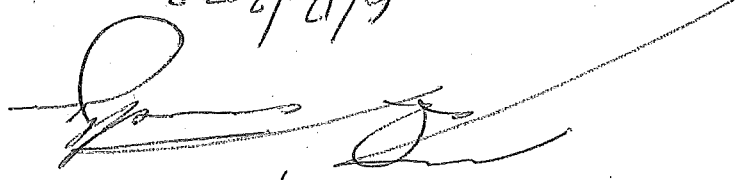
6/12/2002







The highlighted route is the path I use.

A handwritten signature in black ink, consisting of several stylized, overlapping loops and lines.

6/12/2022

(MARK GANNETT)

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

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Name of witness..... EDWARD TAYLOR .....  
(Block Capitals please)

Address ..... [REDACTED] .....  
(Block Capitals please) ..... [REDACTED] .....  
..... [REDACTED] ..... [REDACTED] .....

Date of Birth [REDACTED] Occupation..... SOCIAL WORKER.....

Description of way (include grid references if known):-  
From HEATON VILLAGE  
To HAWKESLEY TR

\* Please delete as appropriate

1. How many years have you known the way? Two +

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 formally on RUPP.

(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? Walled at 10ft +

4. Have you used the above way?

\*YES/~~NO~~

If so: (a) During which years?

Last 2+

- (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.

Heaton to Shaw Farm  
weekly  
Horseback

---

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?

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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.

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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.

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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.

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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.

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12.(a) Have you ever been given permission to use the way? \*~~YES~~/NO

(b) If so, by whom?

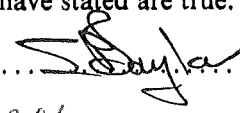
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Can you give any further particulars about the way (continue on a separate sheet of paper if necessary).

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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

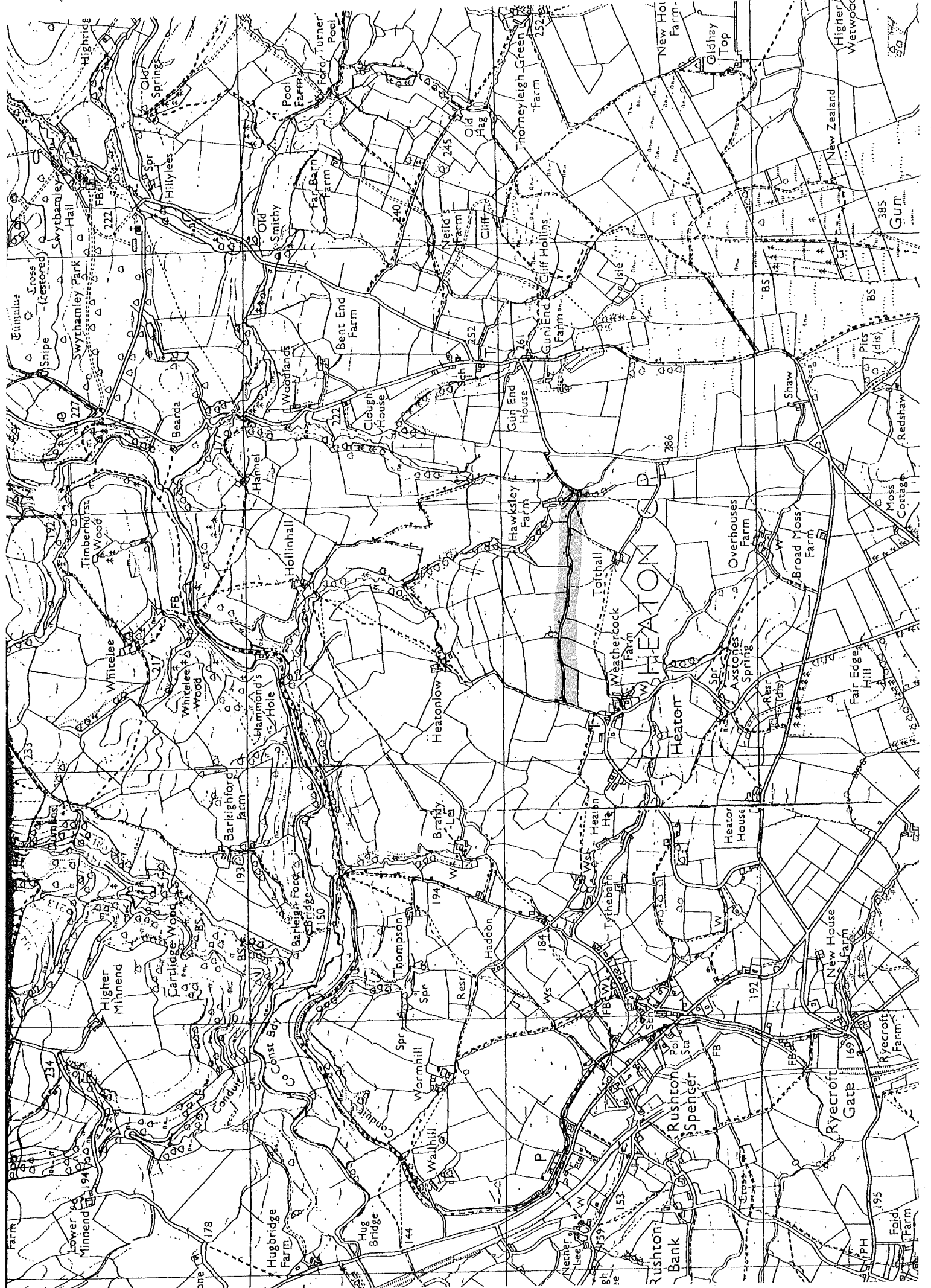
I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature ..... 

Person taking this statement ..... 

Date ..... 28<sup>th</sup> September 2002





This is the route I have used

 Taylor

28/9/02