



Great Bridgeford

C R E S W E L L

Acres 82

GRAND JUNCTION LINE

I.R. & N.W.R. LINE

Liable to Floods

Creswell Hall

Creswell Grove

Bridgford Hall

Beech Spinney

Jackson's Barn

Creswell Cottages

Creswell Farm

North Lodge

The Kennels

Birch Wood

Eccleshall Stafford

M.P.

B.M. 287.3

Fish Pond

Lodge

Gravel Pit

B.M. 272.8

Chapel (Remains of)

B.M. 265.7

B.M. 270.2

M.P.

Eccleshall Stafford

B.M. 273.3

B.M. 270.4

G.P.

B.M. 278.4

B.M. 280.4

B.M. 382.4

B.M. 358.6

B.M. 272.7

B.M. 270.2

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B.M. 2

2nd Ed 1902

37 NW

3rd Ed 1925
STNW

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STAFFORD

PUBLIC RIGHT OF WAY EVIDENCE FORM

Questionnaire to be completed by the owner/occupier of land over which there is an alleged public right of way

Important Note

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

JOINT OWNERS

Name of witness .. HENRY BOURNE HIDERLEY .. AMY HIDERLEY .. AND .. JOHN HENRY HIDERLEY
(Block Capitals please)

Address KEEPERS LODGE JOHN HENRY AT
..... CRESWELL CRESWELL FARM
..... STAFFORD ST18 9SG STAFFORD ST18 9SG

Telephone No: 01785 225679 01785 282373

Date of Birth 09. 8. 1953 Occupation RETIRED.
JOHN HENRY 18. 5. 1952 JOHN HENRY FARMER

1. Do you own or occupy any of the land affected by the proposal or adjacent to it? If the answer is YES please answer questions 2 to 13 and indicate on one copy of the plan the extent of ownership. If the answer is NO please, if possible, advise the names and addresses of the landowners/occupiers.

YES/NO

2. Have you received a Notice of application for a Modification Order?

YES/NO

3. Would you be willing to allow my assistant to make a site inspection?

YES/NO

4. Do you consider the route to be public?

YES/NO

5. How long have you had an interest in the land affected by the application.

FAMILY SINCE 1900 75 years.

6. Please state the nature of your interest in the land over which the alleged public right of way is claimed:

Freehold Ownership Are you:-

- (a) Sole freehold owner?
(b) A joint tenant,
if so, with whom?
(c) a tenant in common,
if so, with whom?
(d) A tenant for life under the Settled Land Act,
if so, with whom?

FARM. JOINT OWNERS
~~FAMILY PARTNERSHIP.~~

HIS. H. D. DERLEY.

A. "

J.H. "

~~---~~

Tenancies and Leases

are you a tenant or lessee of the land? If so, please state the nature of your interest as tenant or lessee.

7. Have you, or any previous owner/tenant of the land, erected any "private" or "trespassers will be prosecuted" or similar signs on or near the alleged public right of way? If so please state when and where these signs were erected, what they said, whether they are still in place and show their position on the attached plan. *No we had no idea that it would be claimed as a path. No one has ever tried to use it. There is a hedge on either side of the entry so anybody would have been seen.*

8. Have you ever given anybody permission to use the path? If so, when and to whom?

Periodic use of Chapel. for service once a year but not on a regular basis. We give permission to use the path for service only

9. Have you, or any previous owner of the land, taken steps to prevent the public's access by locking gates or erecting some other form of obstruction along the path? If so, when, where and for how long was the path obstructed? *High locked wrought iron gates at the road entrance. These are at least 100 yrs old. Even for the farm, they are rarely used, as the access is very dangerous, so they are never accidentally left unlocked*

10. Have you ever stopped or "turned back" anybody found using the path? If so, please give full details. *Occasionally people wander off the existing R.O.W. to look at the Chapel. Not particularly walking on the claimed path. They are always directed back to the R.O.Way.*

11. Have you taken any other steps to prevent the presumed dedication of the path as a public right of way? *No one has used the path, and there was no reason to presume dedication by way of usage.*

NOTE - Section 31(1) of the Highways Act 1980 states that:-

"Where a way over any land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as of right and without interruption for a full period of 20 years, the way is to be deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it."

12. Do you have any documents which show this as a private right of way or giving details of its closure?

No. on 1923 D.S. Map, a new parallel path appears 200yds North of The
Eesbhall road to the same bridge crossing over river Sow. We assume this
path replaced the alleged path.

13. Would you be prepared to give evidence on this matter at a public inquiry or in a court of law if necessary?

YES.

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

M.B. Heddley
a. Heddley

Signature.....

Person taking this statement

Date 15-12-98

Appendix I

PUBLIC RIGHT OF WAY EVIDENCE FORM

Questionnaire to be completed by the owner/occupier of land over which there is an alleged public right of way

Important Note

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

PARTNERS

Name of witness	HENRY BURNE HIDDENLEY	AMY HIDDENLEY	JOHN HENRY HIDDENLEY
(Block Capitals please)	MARK WILLIAM HIDDENLEY		
Address	HB & A HIDDENLEY KEEPERS LODGE	JAH HIDDENLEY CRESWELL FARM	M W HIDDENLEY NEW LODGE
	CRESWELL	STAFFORD	CRESWELL
	STAFFORD	ST18 9SG	STAFFORD
Telephone No:	01785 225579	01785 282373	01785 245555
Date of Birth	HBH 09 / 08	23 / 25	RETIRED
	AH 20 / 02	25 / 52	RETIRED
	JHH 18 / 05	52 / 62	FARMER
	MWH 06 / 09		FARMER

1. Do you own or occupy any of the land affected by the proposal or adjacent to it? If the answer is YES please answer questions 2 to 13 and indicate on one copy of the plan the extent of ownership. If the answer is NO please, if possible, advise the names and addresses of the landowners/occupiers.

YES/NO

2. Have you received a Notice of application for a Modification Order?

YES/NO

3. Would you be willing to allow my assistant to make a site inspection?

YES/NO

4. Do you consider the route to be public?

YES/NO

5. How long have you had an interest in the land affected by the application.

.....15.....years.
FAMILY SINCE 1900

6. Please state the nature of your interest in the land over which the alleged public right of way is claimed:

Freehold Ownership Are you:-

- (a) Sole freehold owner?
- (b) A joint tenant, if so, with whom?
- (c) a tenant in common, if so, with whom?
- (d) A tenant for life under the Settled Land Act, if so, with whom?

FAMILY PARTNERSHIP
OF:- H.B HIDDENLEY
A HIDDENLEY
J.H HIDDENLEY
M.W HIDDENLEY

Tenancies and Leases

TRADING AS J.H. HIDDENLEY & SON

are you a tenant or lessee of the land? If so, please state the nature of your interest as tenant or lessee.

7. Have you, or any previous owner/tenant of the land, erected any "private" or "trespassers will be prosecuted" or similar signs on or near the alleged public right of way? If so please state when and where these signs were erected, what they said, whether they are still in place and show their position on the attached plan. NO WE HAD NO IDEA THAT IT WOULD BE CLAIMED AS A PATH. NO ONE HAS EVER TRIED TO USE IT. THERE IS A LODGE ON EITHER SIDE SO ANYBODY WOULD HAVE BEEN SEEN

8. Have you ever given anybody permission to use the path? If so, when and to whom?

PERIODIC USE FOR CHAPEL SERVICE ONCE A YEAR, BUT NOT ON A REGULAR BASIS. WE GIVE PERMISSION TO USE PATH FOR SERVICE ONLY.

9. Have you, or any previous owner of the land, taken steps to prevent the public's access by locking gates or erecting some other form of obstruction along the path? If so, when, where and for how long was the path obstructed?

HIGH LOCKED WROUGHT IRON GATES AT THE ROAD ENTRANCE THESE ARE AT LEAST 150 YEARS OLD. EVEN THE FARM RARELY USES THEM AS ACCESS IS VERY DANGEROUS, SO THEY ARE NEVER ACCIDENTALLY LEFT UNLOCKED

10. Have you ever stopped or "turned back" anybody found using the path? If so, please give full details.

OCCASIONALLY PEOPLE WANDER OFF THE EXISTING ROAD TO LOOK AT THE CHAPEL; NOT PARTICULARLY WALKING ON CLAIMED PATH. THEY ARE ALWAYS DIRECTED BACK TO THE R.O.W.

11. Have you taken any other steps to prevent the presumed dedication of the path as a public right of way? No. NO ONE HAS USED THE PATH AND THERE WAS NO REASON TO PRESUME DEDICATION BY USAGE

NOTE - Section 31(1) of the Highways Act 1980 states that:-

"Where a way over any land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as of right and without interruption for a full period of 20 years, the way is to be deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it."

12. Do you have any documents which show this as a private right of way or giving details of its closure? NO. ON THE 1923 OS MAP A NEW PARALLEL PATH APPEARS, 200 YARDS NORTH, OFF THE ECCLESHALL ROAD TO THE SAME BRIDGE CROSSING OVER THE SOW WE ASSUME THIS PATH REPLACED THE ALLEGED PATH.

13. Would you be prepared to give evidence on this matter at a public inquiry or in a court of law if necessary?
YES

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

Signature A. B. Hilderley
A. Hilderley
Mrs. Hilderley

Person taking this statement

Date 19-12-98

J H HIDERLEY & SON
CRESWELL FARM
STAFFORD
ST18 9SG

HIDDELEY & SON
WELL FARE
FORD
1898

OTS

PUBLIC RIGHT OF WAY EVIDENCE FORM

Questionnaire to be completed by the owner/occupier of land over which there is an alleged public right of way

Important Note

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

Name of witness ... MARK WILLIAM HODGFRDY
(Block Capitals please)

Address ... NEW LODGE
..... CRESWELL
..... STAFFORD

Telephone No: 01785 245555

Date of Birth ... 06 / ... 09 / ... 62 ... Occupation FARMER

1. Do you own or occupy any of the land affected by the proposal or adjacent to it? If the answer is YES please answer questions 2 to 13 and indicate on one copy of the plan the extent of ownership. If the answer is NO please, if possible, advise the names and addresses of the landowners/occupiers.

YES/NO

2. Have you received a Notice of application for a Modification Order?

YES/NO

3. Would you be willing to allow my assistant to make a site inspection?

YES/NO

4. Do you consider the route to be public?

YES/NO

5. How long have you had an interest in the land affected by the application.

..... 14 years.

6. Please state the nature of your interest in the land over which the alleged public right of way is claimed:

Freehold Ownership Are you:-

- (a) Sole freehold owner?
- (b) A joint tenant,
if so, with whom?
- (c) a tenant in common,
if so, with whom?
- (d) A tenant for life under the Settled Land Act,
if so, with whom?

FAMILY PARTNERSHIP.

Tenancies and Leases

are you a tenant or lessee of the land? If so, please state the nature of your interest as tenant or lessee.

7. Have you, or any previous owner/tenant of the land, erected any "private" or "trespassers will be prosecuted" or similar signs on or near the alleged public right of way? If so please state when and where these signs were erected, what they said, whether they are still in place and show their position on the attached plan.

No

8. Have you ever given anybody permission to use the path? If so, when and to whom?

No one has ever asked to use this alleged path.

9. Have you, or any previous owner of the land, taken steps to prevent the public's access by locking gates or erecting some other form of obstruction along the path? If so, when, where and for how long was the path obstructed?

THE GATES HAVE BEEN LOCKED FOR AS LONG AS IS KNOWN, SINCE 1800'S

10. Have you ever stopped or "turned back" anybody found using the path? If so, please give full details.

No

11. Have you taken any other steps to prevent the presumed dedication of the path as a public right of way?

NOTE - Section 31(1) of the Highways Act 1980 states that:-

"Where a way over any land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as of right and without interruption for a full period of 20 years, the way is to be deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it."

No

12. Do you have any documents which show this as a private right of way or giving details of its closure?

NO

13. Would you be prepared to give evidence on this matter at a public inquiry or in a court of law if necessary?

YES

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

Signature.....*Mr. Bill*.....

Person taking this statement ..*MARK... William... HINDSLEY*.....

Date*30/12/98*.....

15 JAN 1999
مكتبة جامعة القاهرة
القاهرة