

4/MTM/26026

Received 27/7/01

PUBLIC RIGHT OF WAY EVIDENCE FORM

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

Important Note

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

Name of witness (Mr/Mrs/Miss/Ms) MR CHARLES EDWARD ALICE JAGG
(Block Capitals please)

Address
(Block Capitals please)

Telephone No.

Date of Birth Occupation

*please delete as appropriate.

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

1. Do you own or occupy any of the land affected by the proposal or adjacent to it? *YES/NO

If the answer is YES please answer questions 2 to 15 and indicate on the attached map the extent of your ownership or tenancy.

If the answer is NO, please, if possible, advise the names and addresses of the landowners/occupiers.

2. Have you received a Notice of Application for a Modification Order? *YES/NO

3. Would you be willing to allow County Council officers to make a site inspection? *YES/NO

4. (a) Do you consider the route to be public? *YES/NO

(b) If YES what description best describes the route? (please delete those inappropriate)

- (i) *Footpath (i.e. for pedestrians only).
- (ii) *Bridleway (i.e. for horse riders, cyclists and pedestrians)
- (iii) *Byway open to all traffic (open to all traffic)

5. How long have you had an interest in the land affected by the application? 4 MONTHS 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?..... *WITH MARGUERITE MARGARET JANE*

If so with whom?.....

(c) A tenant in common?..... *No*

If so with whom?.....

(d) A tenant for life under the Settled Land Act?..... *No*

If so with whom?.....

Tenancies and Leases

Are you a tenant or lessee of the land?..... *No*

If so please state the nature of your interest as tenant or lessee.....

7. Have you, or any previous owner/tenant of the land, ever erected any signs such as "Private", "Keep Out" or "Trespassers will be prosecuted" or similar signs on or near the alleged public right of way?

*YES/NO

NOT TO MY KNOWLEDGE

If YES please state:-

(a) When were these signs erected?.....

(b) What did these signs say?.....

(c) Are these signs still in place?.....

(d) Where are these signs located?.....

Please indicate location on attached map.

8. Have you ever given anybody permission to use the route?

*YES/NO

If YES please state:-

(a) When was this?.....

(b) To whom was it given?.....

(c) Why was it given?.....

9. Have you, or any previous owner/tenant of the land, taken steps to prevent the public's access by locking gates or erecting some other form of obstruction along the route?

*YES/NO

If YES please state:-

- (a) When was this?.....
 - (b) For how long was this?.....
 - (c) How was the access blocked?.....
 - (d) Where was this?.....
- Please indicate location on attached plan.

10. (a) Have you ever stopped or "turned back" anyone found using the route? *YES/NO NO

If YES please give full details.....

.....

11. Have you ever taken any other steps to prevent the presumed dedication of this route as a public right of way? *YES/NO NO

If YES please give full details.....

.....

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

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

12. Do you have any documents which show this as a private right of way or giving details of its closure? *YES/NO NO

If YES: --

(a) In what form is this?.....
(i.e. maps, photos, deeds, etc. please attach a copy if possible)

(b) Would you be willing to make the original document available if necessary? *YES/NO

13. Would you be prepared to give evidence on this matter at a public inquiry or in a court of law, if necessary? *YES/NO NO

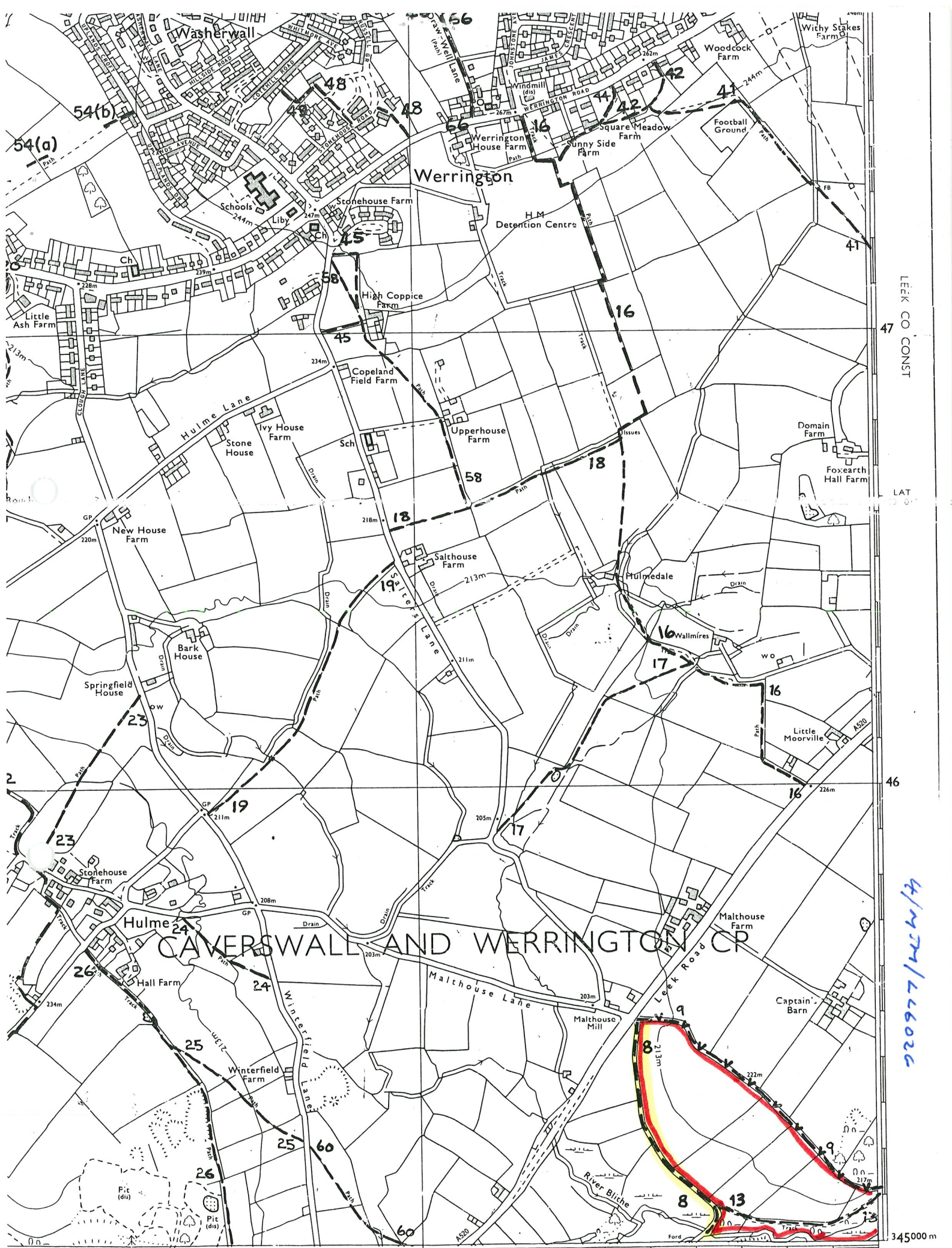
~~14. Can you give any further information about the alleged route?
(continue on a separate sheet of paper if necessary).~~

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)..... *CEA)AVI*

Date *25/7/11*



Caverswall and Werrington CP

LEEK CO CONST

LAT

46

195000m

94

LONG 2° 05' W

5594NW

4/M37/L6602C

345000 m

PUBLIC RIGHT OF WAY EVIDENCE FORM

Questionnaire to be completed by the owner/occupier of land over which there is an alleged publicly maintained highway .

Important Note

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

Name of witness (Mr/Mrs/Miss/Ms) Mr C E A Dale
(Block Capitals please)

Address
(Block Capitals please)

Telephone No.

Date of Birth Occupation

* please delete as appropriate.

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

1. Do you own or occupy any of the land affected by the proposal or adjacent to it? *YES/NO

If the answer is YES please answer questions 2 to 14 and indicate on the attached map the extent of your ownership or tenancy.

If the answer is NO, please, if possible, advise the names and addresses of the landowners/occupiers.

2. Would you be willing to allow County Council officers to make a site inspection? *YES/NO

3. (a) Do you consider the route to be public? *YES/NO

(b) If YES what description best describes the route? (please delete those inappropriate)

(i) *Footpath (i.e. for pedestrians only).

(ii) *Bridleway (i.e. for horse riders, cyclists and pedestrians)

~~(iii) *Byway open to all traffic (open to all traffic)~~

4. How long have you had an interest in the land affected by the application? 3 years

8. Have you; or any previous owner/tenant of the land, taken steps to prevent the public's access by locking gates or erecting some other form of obstruction along the route? *YES/NO

If YES please state:-

- (a) When was this?..... 3 years ago.....
- (b) For how long was this?..... a bar was put across to prevent road vehicles gaining access.....
- (c) How was the access blocked?.....
- (d) Where was this?..... at junction with Leek Road.....

Please indicate location on attached plan.

9. (a) Have you ever stopped or "turned back" anyone found using the route? *YES/NO

(b) If YES please give full details.....

10. Do you have any documents which show this route as a private right of way or giving details of its closure to the public? *YES/NO

If YES: --

(a) In what form is this?.....
(i.e. maps, photos, deeds, etc. please attach a copy if possible)

(b) Would you be willing to make the original document available if necessary? *YES/NO

11. Would you be prepared to give evidence on this matter at a public inquiry or in a court of law, if necessary? *YES/NO

12. Do you know if this route is maintained? *YES/NO

a) If YES by whom was the work carried out?

b) When was the last occasion maintenance work was carried out?.....

13. If the route is not maintained do believe it should be? *YES/NO

a) If YES by whom?

b) Why do you believe this person/body is responsible?.....

14. Can you give any further information about the alleged route?
(continue on a separate sheet of paper if necessary).

The property lies to the south east of a farm purchased by myself in May 2000

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

17.7.03