

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) P W SHAN
(Block Capitals please)

Address RUBDEN FARM OAKAMOR S.O.T STAFFS ST103BW
(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? 20 years

- (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

If YES please give full details.....

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

If YES please give full details.....

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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

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~~

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

