

Staffordshire County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM Important Note

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

Name of witness (*Mr/Mrs/Miss/Ms) BRYAN CLOWES.....



(if retired, what was your previous occupation)

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

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

1. As far as possible **ONLY** the witness should complete the form, preferably in black ink. If another individual completes the form on their behalf they should indicate this at the end of the form.
2. Each witness should answer all questions fully with as much detail as possible.
3. Each witness should complete a separate form in respect of each claimed right of way about which she/he can give evidence.
4. A plan must be attached and **ONLY** the witness should clearly draw the route of the claimed right of way on the plan, and initial the plan at each end of the drawn route.
5. The route of the claimed right of way should be described as accurately as possible, giving details of such things as property and field boundaries, stiles, gates, bridges and stepping stones, etc.
6. Witnesses should indicate whether they are prepared to give evidence either in a court or at a public inquiry. (The evidential value of a statement is reduced if it cannot be subject to cross examination).
7. If a witness would be unable to give evidence at a hearing because of ill health, age, etc the person obtaining the statement should endorse the form accordingly, and be able to give evidence of the circumstances.
8. **Please note** The Freedom of Information Act 2000 provides a general right of access to all information held by Staffordshire County Council. The Environmental Information Regulations 2004 provide a similar right of access to environmental information held by the Council. This means that the information that you supply may be disclosed to any individual making the appropriate request

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

From SILVERDALE CRICKET GROUND @ STAVELEY PLACE

To SILVERDALE CRICKET GROUND @ STAVELEY PLACE

Please mark clearly 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.

By VARIOUS ROUTES.

Please take time to answer the questions carefully and in full

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

- 1. (a) Have you personally used the above way? *YES/NO
- (b) During which years have you used the way?
From..... 1981..... To..... 2011.....
- (c) Does the way have a popular name? No
- (d) Did you only use part of the way? No *YES/NO
- (e) Where were you going from/to? ... STAVELEY PLACE TO STAVELEY PLACE
- (f) For what purpose? (eg work, pleasure) TAKING MY DOGS FOR WALKS
- (g) How many times a year? (eg daily, weekly, seasonal) 3 TIMES DAILY IN SUMMER 2 TIMES DAILY IN WINTER
- (h) By what means? (eg on foot, horseback, motor vehicle etc) ... ON FOOT
- (i) Is, or was, the way a short cut for you? No
- (j) If so why?
- (k) Do you still use the way? YES
- (l) If not why not?
- (n) How many years have you known of the existence of the way? ... 31 YEARS

2. When using the path where did you live? [REDACTED]

[REDACTED]

If at different places please provide details and years.

- 3. (a) How wide is the way? ... 2 TO 3 FEET WIDE *Feet/Metres
- (b) Is it the same width throughout its length? MOST OF THE WAY *YES/NO
- If NO please state width From..... To..... *Feet/Metres wide

4. If you have ridden a horse on the way
- (a) Where did you keep the horse?
 - (b) Where did you start and finish your ride?
 - (c) Were you ever riding with a hunt when you used the way?

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

6. (a) Has the way always been on the same route? *YES/~~NO~~
- (b) **If NO** when was the way diverted?
- (c) Why was the way diverted?

Please show details of the original route and the diversion on the plan.

- (d) Is the way a clearly defined track or path which a stranger to the vicinity could follow? YES
- (e) Have you always kept to the route of the way between the start and finish, or have you wandered from the route? SOMETIMES DEPENDING SINCE IT WAS CONVERTED FROM FARMLAND TO A GOLF COURSE BY NEWCASTLE - UNDER - LYME COUNCIL

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

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

(b) If YES, state (i) what type of obstruction was this? 8 FOOT DEEP DITCH WITH SOIL BANKED AT SIDE WHICH WAS VEHICLE ACCESS TO SPRING POOL

(ii) When they were erected or ~~removed~~? APPROX 6-8 YEARS AGO

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

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

(b) If so by whom or what?

(c) Have you continued to use the way despite hindrances or obstructions

~~*YES/NO~~

(d) How did you do this? (ie diversion)

(e) Is the hindrance or obstruction still in existence

~~*YES/NO~~

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

If YES, please give dates.

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

If YES, please give dates.

11. Was the land ever owned or tenanted by a relative of yours? ~~*YES/NO~~

If so, what was their relationship to you?

13. When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? ~~*YES/NO~~

If YES (i) What was your employment?

(ii) Between what years were you employed?....From.....To.....

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?

14 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?

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

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

17. (a) Have you ever seen any deterrent notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers will be Prosecuted", on or near the way? ~~YES~~/NO
(b) If YES please state what the notices said

Please show their approximate position on the attached plan.

18. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? ~~YES~~/NO
(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? ~~YES~~/NO
(c) If YES to (a) or (b) please state what the notices said ... FOOTPATH.....

THIS IS ALREADY SHOWN ON MAP, BUT IT IS NOT VERY CLEAR WHERE YOU HAVE TO GO.

Please show their approximate position on the attached plan.

PTO

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

(Whether or not you asked for it)

(b) Have you ever asked permission to use the way? *YES/NO

(c) If YES, who gave you permission?

.....

(d) When were you given permission?

.....

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

.....

20. (a) Have you seen other people using the way? *YES/NO

(b) How were they using the way (ie foot, horse)? ON FOOT

.....

(c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? NO

.....

(d) If they were not accompanying you, were these people known to you? NO

.....

(e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) NUMEROUS TIMES OF THE DAY AS IT IS USED AS A SHORTCUT (SEE BELOW)

(f) How many other people, approximately, did you see on these occasions? VARIES FROM 1 to 3

(g) Please give any further details of other people's use of the way which you feel may be important IT IS USED BY STUDENTS AND WORKERS AT KEELE UNIVERSITY TO GET FROM SILVERDALE TO KEELE UNIVERSITY AND ALSO PEOPLE TAKING THEIR DOGS FOR WALKS. IT IS NOT PRACTICAL TO USE THE FOOTPATH SHOWN ON THE MAPS AS IT IS DANGEROUS TO FOLLOW THROUGH THE WOOD DUE TO STEEP BANK TO GET INTO/OUT OF WOOD AND ALSO IT GETS FLOODED DUE TO JACK BARKERS GOLF DIVERTING WATER INTO THE WOOD FROM SO CALLED DRAINAGE DITCHES. ALSO IF LONE FEMALE FOLLOWING THIS PATH THEY ARE AFRAID OF BEING MOLESTED.

ARE

21. Have you ever been charged a monetary sum for using the path? *YES/NO

If so, by whom?

22. (a) Do you have any documentary evidence about the way? ~~*YES/NO~~

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

.....
.....

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

*YES/NO

23. (a) Do you consider the route to be historical? ~~*YES/NO~~

(b) If Yes what type of route is or was it? (eg bridleway, footpath etc) FOOTPATHS WHICH
ORIGINALLY USED BY COAL BOARD FOR MAINTENANCE OF SPRING POOL + PUMPING
STATION FOR SILVERDALE COLLEERY

(c) Are you aware of any evidence/documents to support this? (excluding OS Maps)

~~*YES/NO~~

(d) If Yes please give details of this evidence or documents.....

.....
.....

24. Do you know who owns the land? ~~*YES/NO~~

If YES please can you provide names and contact details. NEWCASTLE BOROUGH
COUNCIL WHO HAVE LET IT TO JACK BARKER COLF.

.....
.....

25. Do you know of any previous landowners? ~~*YES/NO~~

If YES please can you provide names and contact details. PREVIOUSLY FARM
LAND OWNED BY MR BIRCHALL - ADDRESS NOT KNOWN BUT
COUNCIL SHOULD HAVE THAT DETAIL.

.....
.....

26. Are you prepared to be interviewed? ~~*YES/NO~~

If No please state reasons:.....

.....
.....

If YES would you be prepared to be interviewed over the phone?

~~*YES/NO~~

PTO.

27. 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

If No please state reasons.....
.....

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

HAVE ATTACHED ADDITIONAL MAPS TO SHOW THE VARIOUS PATHS THAT I FOLLOW WHICH ARE DEVIATIONS FROM THE PATH AROUND THE PERIMETER EDGE OF THE GOLF COURSE/ OR EDGE OF FIELDS PRIOR TO THE CONVERSION INTO A GOLF COURSE. THIS IS DUE TO MY TIME RESTRICTIONS FOR OTHER COMMITMENTS THAT I HAVE
I have also attached a copy of sheet SJ 84/94 Ordinance survey map 1974. Showing original footpath and also of the footpath at the side of the Cricket Ground - marked in red (circled) This is before Chiltern Park was built in 1968/69.

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

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

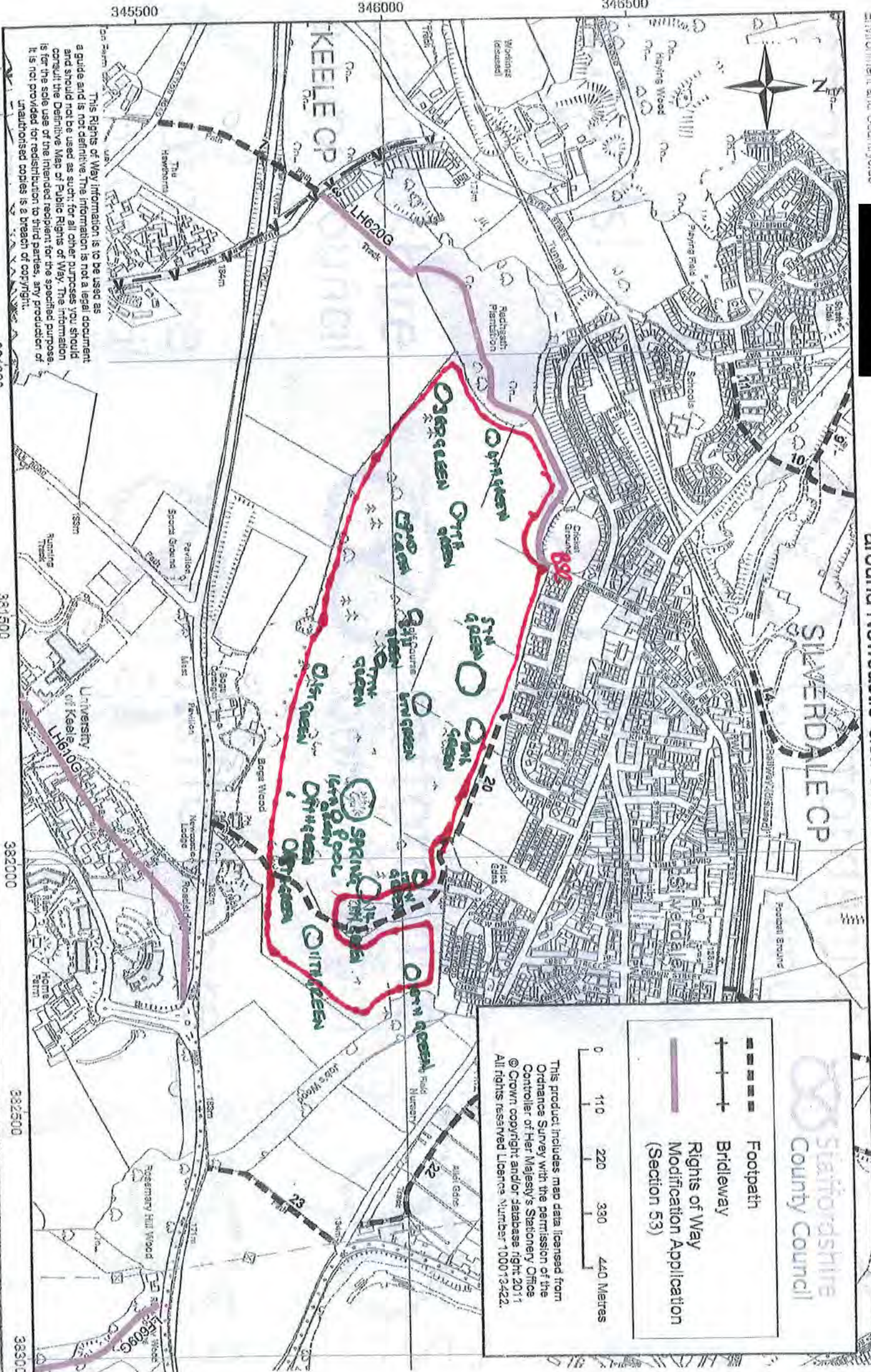
[Redacted signature]

.....Date:

20.....

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

Public Rights of Way and Modification App
around Newcastle Golf course



- Footpath
- Bridleway
- Rights of Way Modification Application (Section 53)

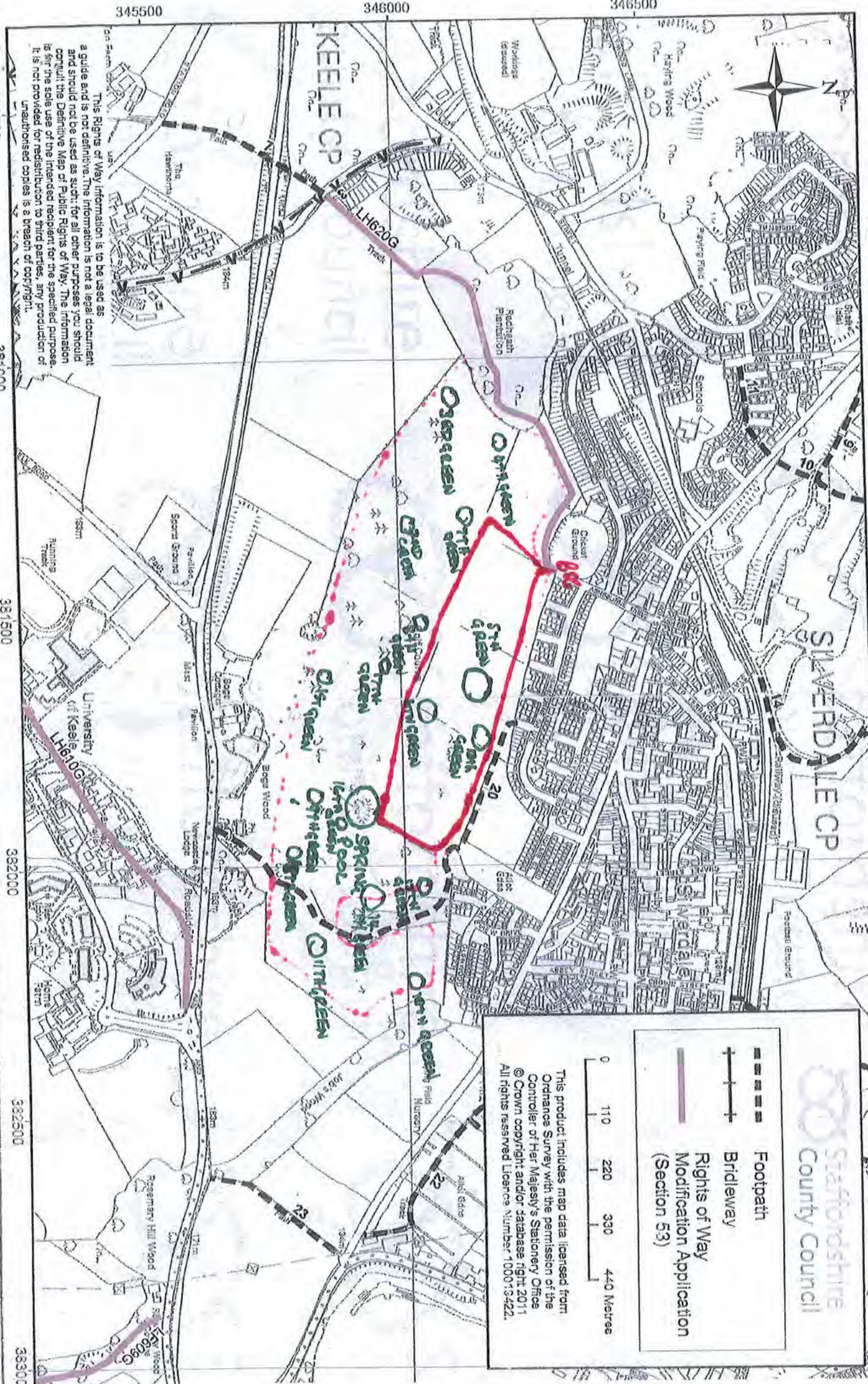


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Staffordshire
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Public Rights of Way and Modification Applications
around Newcastle Golf course



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-  Footpath
-  Bridleway
-  Rights of Way Modification Application (Section 53)

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