

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 [REDACTED]
 (Block Capitals please)

Address [REDACTED]
 (Block Capitals please)

Telephone No. [REDACTED]

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

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

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

To

*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? 35 yrs
- (b) Does the way have a popular name? old road through the roaches
- (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? 1967. TO 1985
- (f) Where were you going from/to? FROM FRONT OF ROACHES TO BACK OF ROACHES
- (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 foot
- (j) Is, or was, the way a short cut for you? YES
- (k) If so why? This is a safer route than using the main road to Burton Road A53
- (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? I use the way again now the Dean Park have replaced a Barb wire fence with a gate
- (n) If not why not? But the Land owner at the

Back of the roaches has locked a gate Victor
 Grindley living at Harpers end farm
 upperhouse

2. When using the path where did you live?

If at different places please provide details and years.

[REDACTED] UPPERHULME

3. (a) How wide is the way? Single Track

(b) Is it the same width throughout its length?

Various

4. If you have ridden a horse on the way

(a) Where did you keep the horse? FIVE CLOUDS UPPERHULME

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

(c) Were you ever riding with the hunt when you used the way? No

THE AREA IS NOT HUNTED

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. Very defined Track.

(d) Have you always kept to the route of the way between the start and finish, or have you wandered from the route?

NO HAVE NEVER

WANDERED FROM 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.

Peak Park Fence removed Dec 2001 and replaced by gate.

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

GATE AT BACK OF ROACHES LOCKED ALL OF THE TIME NOW BY [REDACTED]

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?

Peak Park Barbed Wire Fence

(ii) When they were erected or removed?

removed Dec 2001

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

Peak National Park

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? *YES/NO
(Whether or not you asked for it)

(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?

Always thought the way was an old public Road
didn't think you needed permission

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 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?

I knew some of the people

(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?

This is the main way
onto the Roaches here and
people about all of the 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)

Maps, The front cover of the book
Peak Roads and Trackways
is a picture of this Road. The book is by Dodd and
Dodd

(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).

This Road is the old way to Buxton Road
and was always used by Horse riders
before the Peak Park fenced it. They have
now removed their fence and replaced it with
a Bridle gate. By the land owner at the
Back of the Roaches has now locked the
gate. he is

Living at

Upperhulme

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).....

Date15-3-02.....

Reproduced from the Ordnance Survey Map with the permission of the controller of Her Majesty's Stationery Office. Crown Copyright Reserved. Licence No. 076856

LEEKFRITH CP

Extract of The Definitive Map of Public Rights of Way

- Public Footpath..... ————
- Public Bridleway..... + + + + +
- Byway Open to all Traffic..... V - V - V - V
- Parish Boundary..... • • • • •

Scale 1:10000



