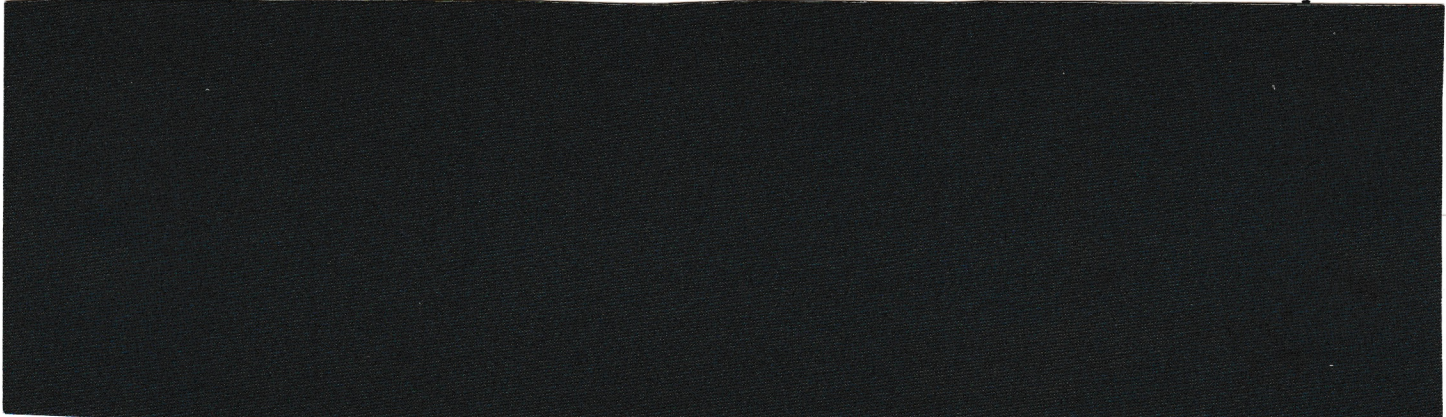


PUBLIC RIGHT OF WAY EVIDENCE FORM

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.



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. ....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?

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.

---

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

---

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?

---

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

---

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."

---

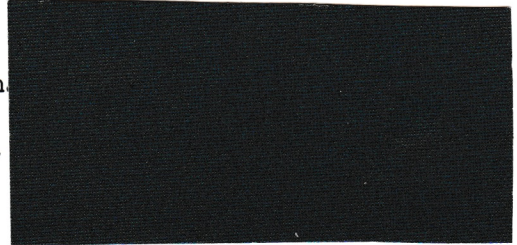
12. Do you have any documents which show this as a private right of way or giving details of its closure?

no

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

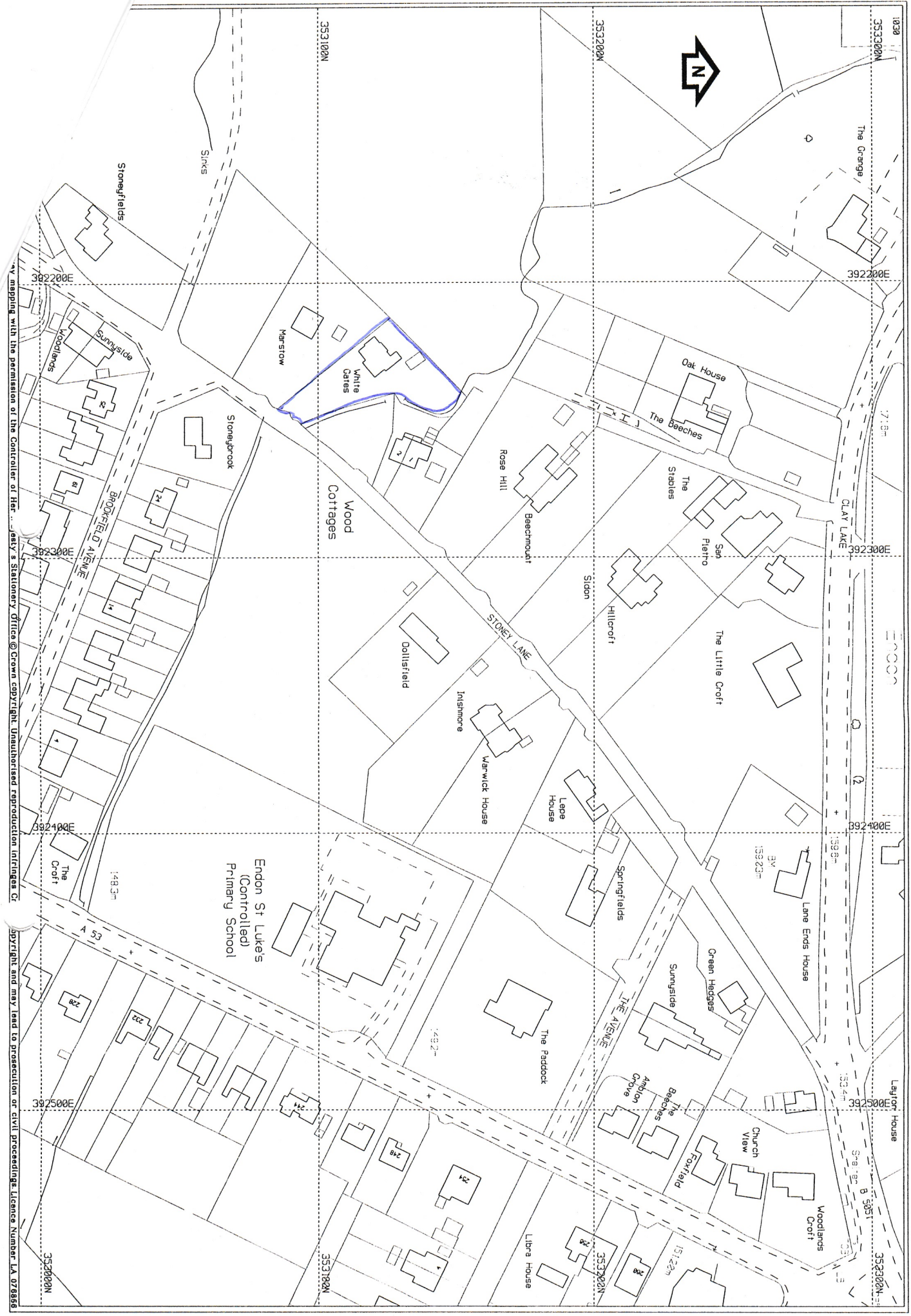
I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Sign



Person taking this statement .....

Date 8/5/96 .....



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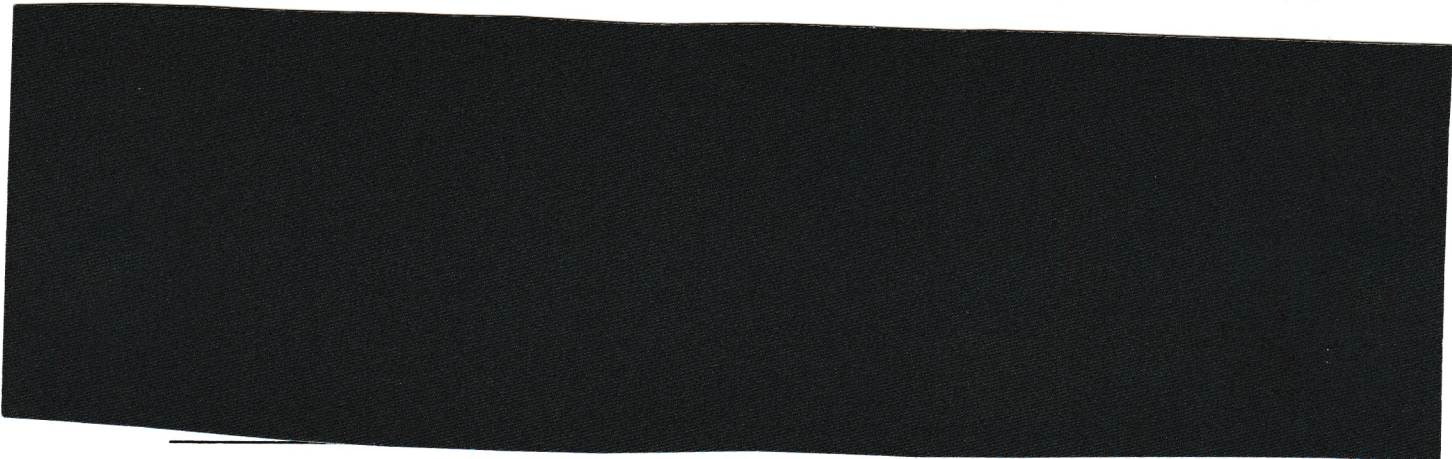
PUBLIC RIGHT OF WAY EVIDENCE FORM

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

MJB

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.



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. .....4.4.....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?

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

---

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?

No

---

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?

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

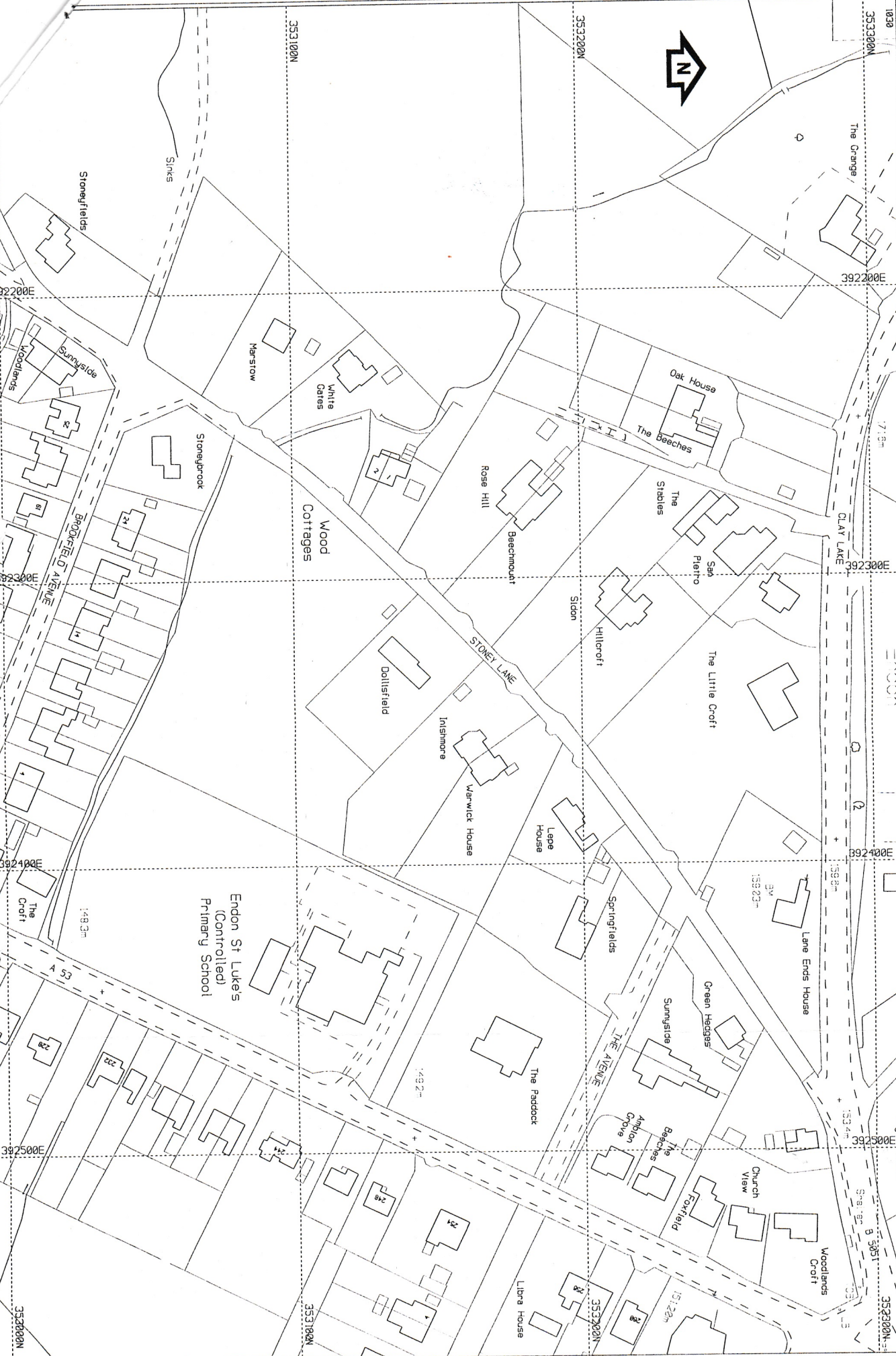
Sign

Person taking this statement .....

Date ...13.6.96.....



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Stonefields  
Sinks  
Sunnyside  
Woodlands  
392200E

White Cotes  
Narstow  
392300E

Stonebrook  
WOODCROFT AVENUE  
392400E

The Croft  
148.3m  
392500E

Endon St Lukes  
(Controlled)  
Primary School  
148.3m  
392500E

353100N  
353200N  
353300N

392200E  
392300E  
392400E  
392500E

Wood Cottages  
353100N

Beechmourt  
Rose Hill  
353200N

Stidon  
Hillcroft  
353300N

Springfields  
THE AVENUE  
353200N

The Paddock  
148.2m  
353300N

Libra House  
151.2m  
353300N

Oak House  
The Beeches  
392200E

Saa  
Pleuro  
392300E

The Little Croft  
392400E

Lane Ends House  
153.03m  
392500E

Sunnyside  
Green Hedges  
392500E

The Batches  
Ambion  
Cove  
392500E

Woodlands  
Croft  
353200N  
353300N

The Orange  
CLAY LAKE  
17.9m  
392200E

392300E

392400E

392500E

Lajlor House  
153.4m  
392500E

Church  
View  
153.4m  
392500E

353200N  
353300N

1030  
353300N



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

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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. 10/11 .....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?

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

---

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?

No

---

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?

No other than asking dog owners to keep dogs on leads because of my cattle

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

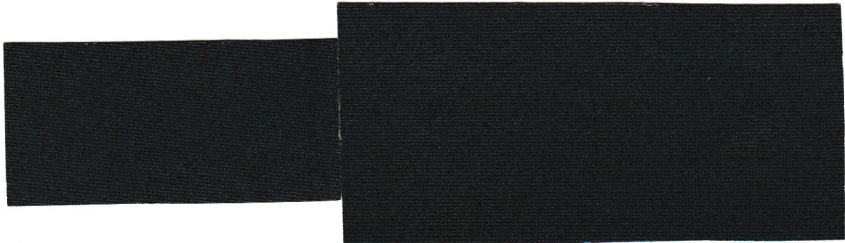
13. Would you be prepared to give evidence on this matter at a public inquiry or in a court of law if necessary?

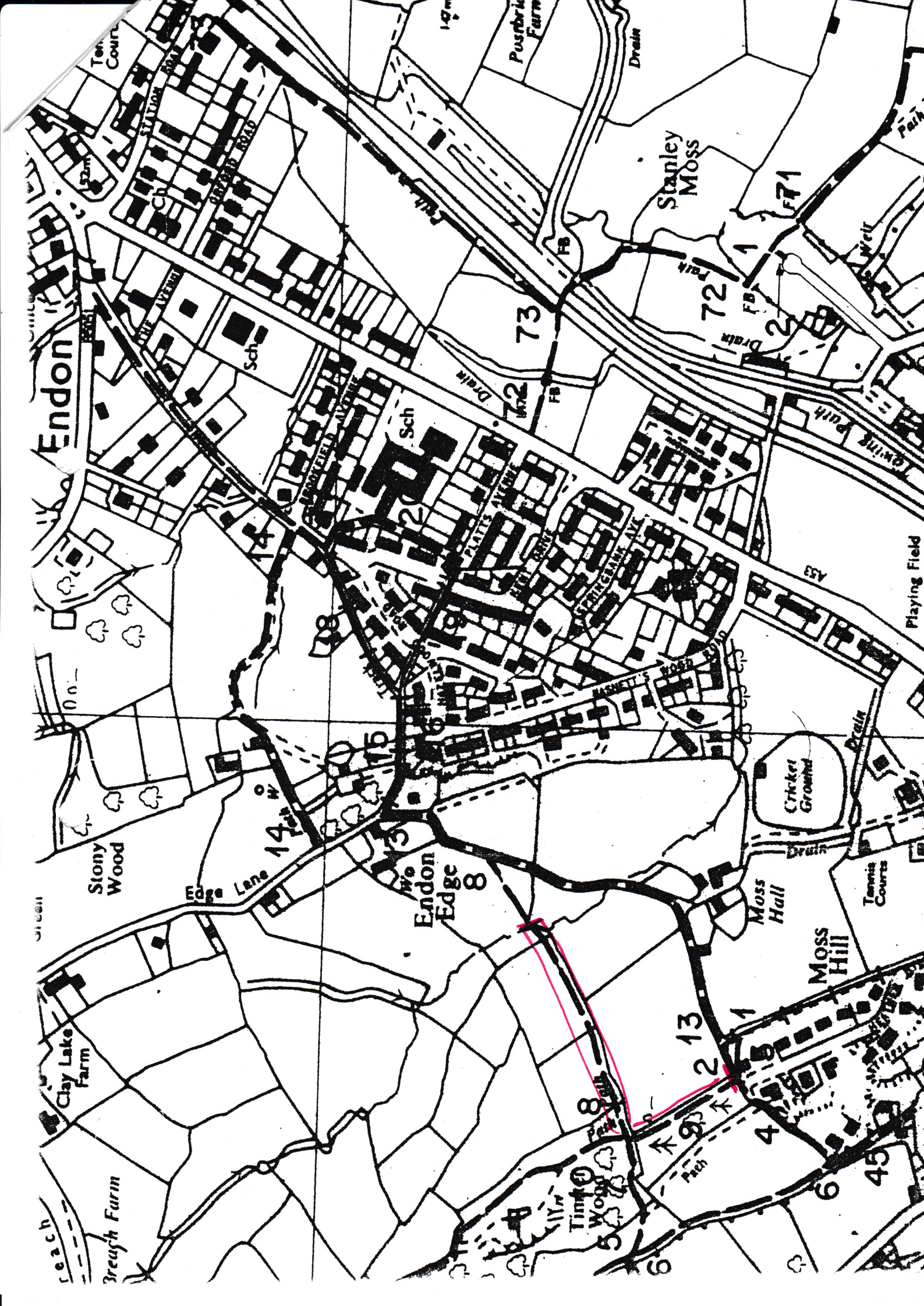
ALSO YES

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

Person taking this statement

Date ..... 6/6/96 .....



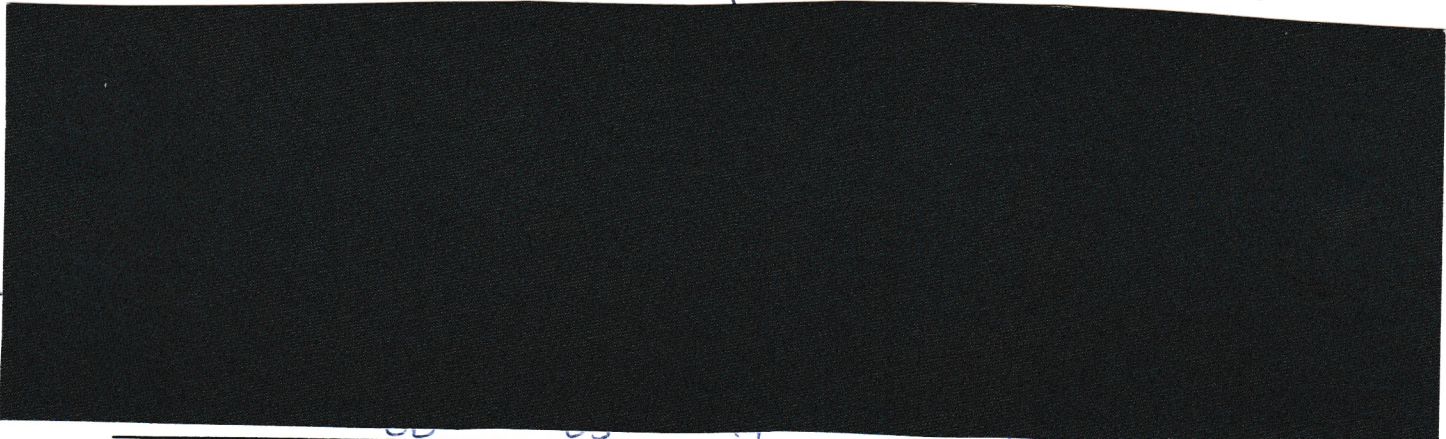


PUBLIC RIGHT OF WAY EVIDENCE FORM

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

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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 1/2 .....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?

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.

---

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NO

---

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NO

---

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?

NO

---

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NO

---

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

NO

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

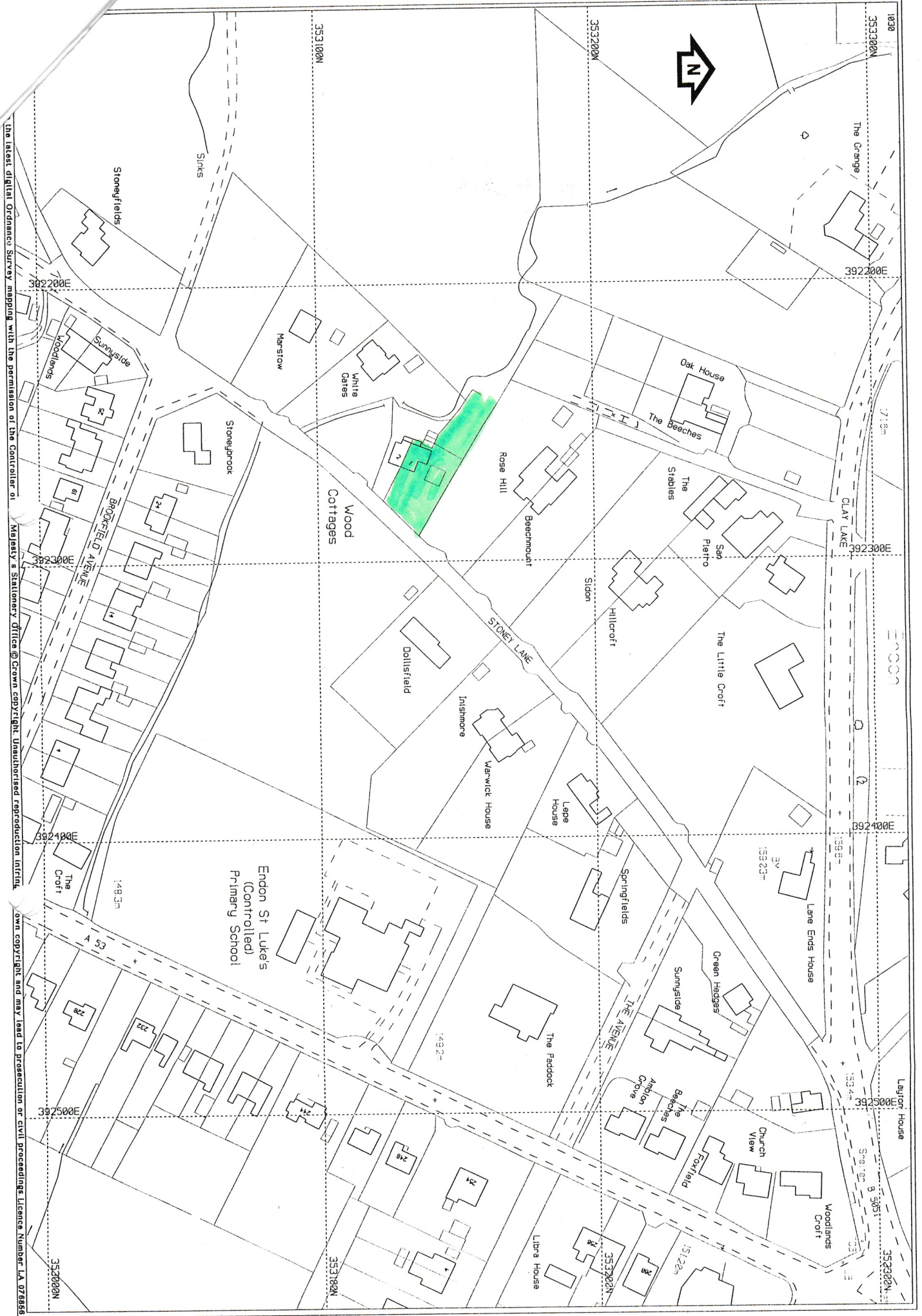
YES

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

Person taking this statement .....

Date ..... 17/6/96 .....





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