

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

Address

Telephone No.

Post Code

Date of Birth

Occupation

(If retired, what was 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 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 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, if 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. The information given on this form may become available for public inspection.

Description of claimed way:- (include grid references if known)
From Gorsthead Mill Lane D1104 Grid Ref SK 02370 53539

To Bradshaw Lane, Ipstones D1122 Grid Ref SK 02026 52485, this being the entire length of Ipstones PF35.

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 33 YEARS
(b) Does the way have a popular name? BROWN EDGE LANE
(c) Have you personally used the above way? YES
(d) Did you only use part of the way? NO

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

- (e) During which years have you used the way? FROM 1989 TO 2014
(f) Where were you going from/to? CIRCULAR HACKING ROUTE FROM IP-STONES AND ALTON
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) WHILST AT IPSTONES MONTHLY, FROM ALTON TWICE BETWEEN 1997 AND PRESENT DAY
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK
(j) Is, or was, the way a short cut for you? NO
(k) If so why? N/A.

(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? LAST USED ON 2014
(n) If not why not?
DISTANCE FROM CURRENT LIVERY FACILITY. MY HORSE IS NOW BASED IN ALTON BUT I WOULD NOT HESITATE IF I WAS GOING ON A LONG DISTANCE RIDE AND I NEEDED TO GO THAT WAY.

2. When using the path where did you live?

██████████ 1988 TO 1992, ██████████ 1992 TO 1994, ██████████ 1994 TO 1997, ██████████
██████████ 1997 TO PRESENT DAY.

3. (a) How wide is the way?

FROM BRADSHAW LANE, (GATE NO.1) THE WIDTH IS 10 TO 15 FEET ALONG HARD CORE TRACK THROUGH OPEN FIELD TO GATE NO.2. THE WAY THEN CONTINUES OVER EARTH/PASTURE FOLLOWING FIELD BOUNDARY ON THE RIGHT HAND SIDE THROUGH BRIDLE GATES NO'S 3,4 AND 5. AT BRIDLE GATE NO 5 THE WAY CONTINUES, 10 TO 15 FEET WIDE, BETWEEN STONE WALLS TO GATE 6. HERE THE WAY BECOMES WIDER TO 20 FEET AS IT DESCENDS INTO A HOLLOWAY DOWN TO GATE NO. 7 MEETING WITH GORSTHEAD MILL LANE.

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

NO.

4. If you have ridden a horse on the way

(a) Where did you keep the horse?

INITIALLY IPSTONES AND LATTERLY ALTON.

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

WHEN IN IPSTONES STARTED AND FINISHED IN IPSTONES WITHIN A DAY. WHEN IN ALTON USED THE ROUTE AS PART OF A 4 DAY RIDE STARTING IN ALTON AND ENDING IN ALTON VIA IPSTONES, RUDYARD, THE ROACHES AND GRINDON.

(c) Were you ever riding with the hunt when you used the way?

NO.

5. (a) When using the way did you ever see any other person driving motor or horse-drawn vehicles on the way?

NO

(b) If YES, how often and what type of vehicle were they using?

N/A

(c) Have you ever driven, or been a passenger in, a motor or horse drawn vehicle on the way?

NO

(d) If YES to (c),

(i) How often was this? N/A

(ii) What type of vehicle were you in? N/A

(iii) For what purpose was it being used? N/A

6. (a) Has the way always been on the same route?

YES

(b) If NO, 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

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

7. (a) Have there, to your knowledge, ever been any stiles on the way? NO

(b) Have there, to your knowledge, ever been any gates on the way YES

(c) **If YES**, please mark on the attached plan the location of the stiles or gates and state, if known, when they were erected or removed.
GATES SHOWN ON ATTACHED MAP 1 TO 7.

(d) If any gates on the way were ever locked please state, how often, and if known, by whom?
NEVER LOCKED.

Please mark on the attached plan the locations of the locked gates.

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

(b) **If YES**, state (i) what type of obstruction was this? N/A

(ii) When they were erected or removed? N/A

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

9. Has your usage ever been hindered or prevented in any way? NO

If so by whom or what? N/A

When was this? N/A

Have you continued to use the way despite hindrances or obstructions N/A

How did you do this? (e.g. diversion) N/A

Is the hindrance or obstruction still in existence N/A

10. (a) Were you ever an owner or tenant of the land crossed by the way? 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? N/A

If YES, please give dates.

(c) Was the land ever owned or tenanted by a relative of yours? NO

If so, what was their relationship to you? N/A

(d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? NO

(e) **If YES to (d)**,

(i) What was your employment? N/A

(ii) Between what years were you employed? N/A

(f) 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? N/A

(ii) **If so**, what were your instructions? N/A

(g) Did any relatives of yours ever work for an owner or tenant of land adjoining or crossed by the way? NO

If so, what was their relationship to you? N/A

11. (a) Have you ever been stopped or turned back when using the way? NO

(b) Do you know, or have you heard of, anyone else having been prevented from using the way? NO

(c) **If YES to (a) or (b)**, please give details including dates.

12. (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? NO

(b) **If YES**, please state:

(i) Who told you?

(ii) When you were told?

(iii) What were you told?

13. (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? NO

(b) **If YES**, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? N/A

14. (a) Have you ever seen any notices such as "Public Path", or "footpath", or any other similar notice on or near the way? NO

(b) Have you ever seen any direction signs, finger posts or other indicators on or near the way? NO

(c) **If YES to (a) or (b)**, please state what the notices or posts said and show their approximate position on the attached plan?

15. (a) Have you ever been given permission to use the way? (Whether or not you asked for it) NO

(b) Have you ever asked permission to use the way? 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?

16. (a) Have you seen other people using the way? YES

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

(c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? YES COMPANIONS.

(d) If they were not accompanying you, were these people known to you?

(e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) ONLY WHEN ACCOMPANYING ME.

(f) How many other people, approximately, did you see on these occasions? 1-3.

(g) Please give any further details of other people's use of the way which you feel may be important.

17. Have you ever been charged a monetary sum for using the path? **NO**
If so, by whom?

18. (a) Do you have any documentary evidence about the way? **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? **N/A**

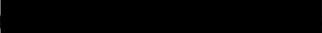
19. Can you give any further information about the way (continue on a separate sheet of paper if necessary).

I AM AWARE STAFFORDSHIRE MOORLANDS BRIDLEWAYS GROUP HAVE SUBMITTED A SECTION 53 APPLICATION IN RELATION TO THIS ROUTE.

20. 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**

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 to this statement is true.

Signature 

Person taking this statement (if applicable)

Date: 29th April 2022