

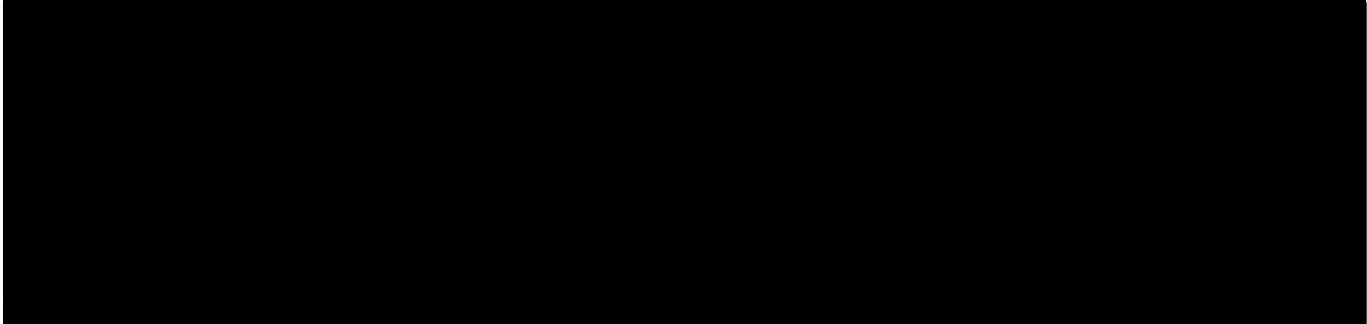
Appendix C

PUBLIC RIGHT OF WAY EVIDENCE FORM

User A

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.



Description of way (include grid references if known):- F.P. N^o 18 SWYNNERTON C.P.
From DOG LANE, HANChurch HILLS OPPOSITE F.P. 19 SJ 839 400
To END OF COUNTY ROAD ABOUT 150 YDS. S.W. OF ACTON HILL FARM
SJ 828 409

* Please delete as appropriate

1. How many years have you known the way? APPROX. 15 YRS.

2.(a) Do you believe the way to be a public right of way? *YES/NO

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way? 15'-20'

4. Have you used the above way? *YES/~~NO~~

If so: (a) During which years? 1977 - 1992.

- (b) Where were you going from/to? FROM ALTON TO HAN CHURCH
(c) For what purpose? (eg work, pleasure) PLEASURE
(d) How many times a year? (eg daily) DAILY.
(e) By what means? (eg on
foot, horseback, HORSEBACK.
motor vehicle etc)
(f) Please show the route of
the way used on the
attached plan.

5.(a) Has the way always been on the same route? *YES/~~NO~~

- (b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/~~NO~~

If so, state (with details of location) where the stiles or gates stood.

HOBBOBLIN GATE

7.(a) Were you working for any owner or tennant of land crossed by the way at the time when you used it. *YES/~~NO~~

- (b) If so, give particulars and say whether you received any instructions from the owner/tennant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route? *YES/~~NO~~

- (b) If so, please give particulars.

9.(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, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

~~YES/NO~~

(b) If so, state when and where and show its approximate position on the attached plan.

Dukes Lodge
HOBGOBLIN GATE

P.T.O.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

~~YES/NO~~

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

~~YES/NO~~

(b) If so, by whom?

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

DO REMEMBER A FENCE BOTH SIDES OF TRACK.

14. 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~~

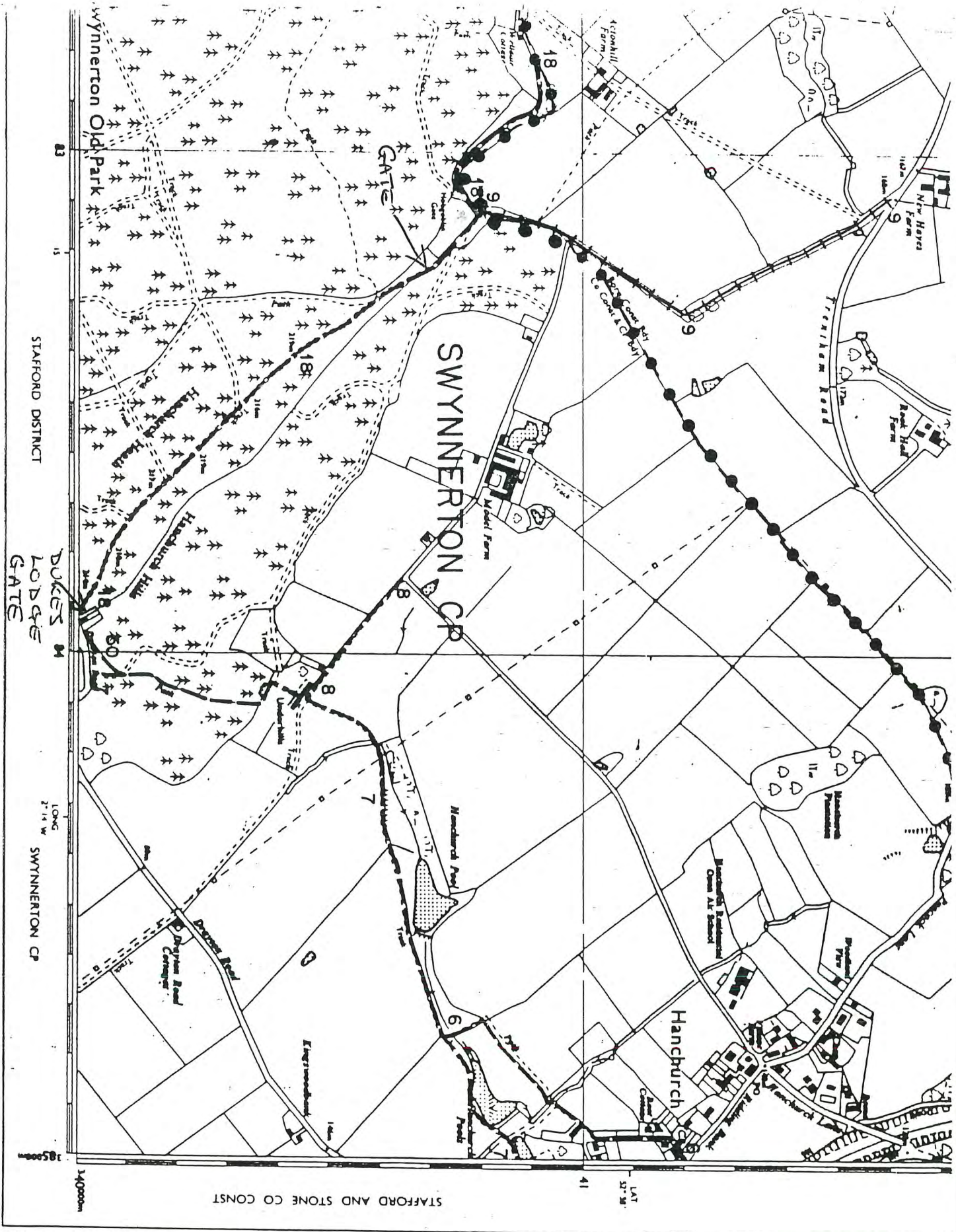
I certify that, to the best of my knowledge and belief, the facts I have stated are true

Person taking this statement

Date..... 26/8/97.....

HubGoblin Gate And Dukes Lodge were Bridal Gates which were always open. When the Forestry Permit System was introduced, HubGoblin Gate was replaced by a vehicle Gate which is locked. At Dukes Lodge the Bridle Gate was replaced by a kissing Gate for Peckstrass and a Bridle Gate was replaced on the other side of the vehicle Gate as part of the Permit System Key holders only Gate

[Signature]



MS 84 JS



I, [REDACTED] DO

SOLEMNLY AND SINCERELY DECLARE as follows:-

1. Since 1920 I have used footpath number 18 in Swynnerton Parish Staffordshire shown edged red on the plan annexed hereto (Exhibit 1) regularly on horseback in order to go from Harley Thorne to Acton.
2. So far as I can remember the path mentioned has always been open to horse riders and to my knowledge there have never been any gates or stiles preventing access.
3. I have never been prevented or stopped or turned back by any persons and have always exercised a right of way on horseback freely and without interruption.
4. I have always believed the right to be a public right of way and to my knowledge there has never been any gate or obstruction crossing the path.
5. I believe that the way extends to some fifteen to eighteen feet.
6. Over the course of many years, certainly in excess of twenty five, I have used the way in this manner either alone or with other members of my family also on horseback, at least once a week.
7. I do believe that this way should be shown on the definitive map as a bridle way. It has always been used as such and I believe it should continue to be used as an access way for those on foot and on horseback.

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835

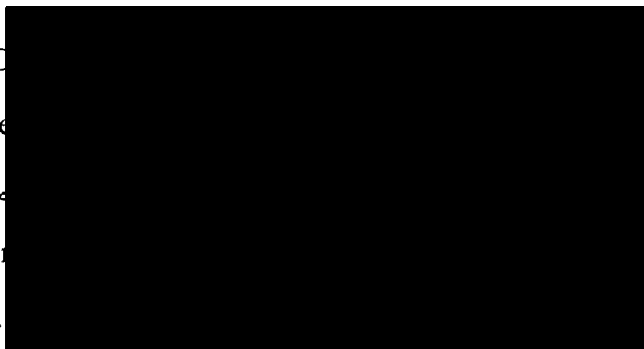
DEC

in the

This

Before

.....



Solicitor/ Commissioner for Oaths

PUBLIC RIGHT OF WAY EVIDENCE FORM

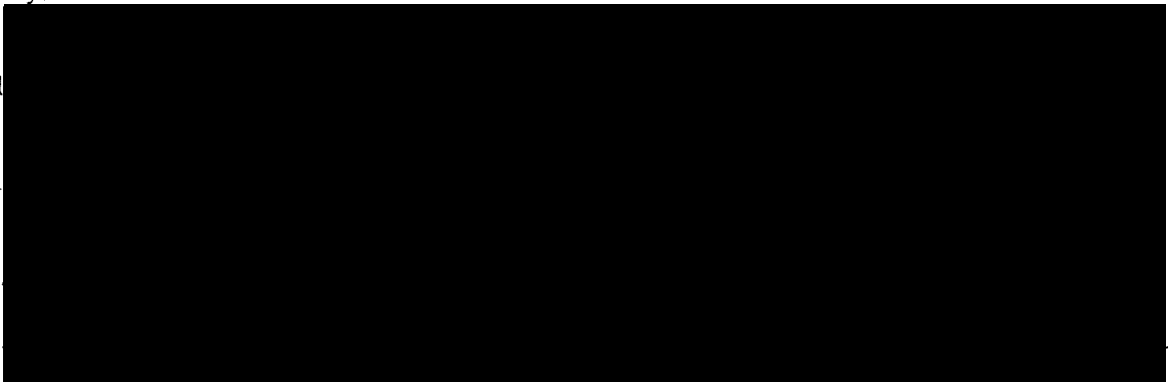
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Name of witness.
(Block Capitals pl

Address
(Block Capitals pl

Date of Birth



Description of way (include grid references if known):- FOOTPATH N^o 18 SWYNNERTON C. P.
From
To

* Please delete as appropriate

1. How many years have you known the way? 70

2.(a) Do you believe the way to be a public right of way? *YES/NO

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way?

15 - 18 FT

4. Have you used the above way?

~~*YES/NO~~

If so: (a) During which years?

1920 ~~onwards~~ 1960
then occasionally till 1970

(b) Where were you going from/to?

HARLEY THORN TO ACTON

(c) For what purpose? (eg work, pleasure)

PLEASURE

(d) How many times a year? (eg daily)

VERY MANY

(e) By what means? (eg on

foot, horseback,
motor vehicle etc)

HORSEBACK

(f) Please show the route of
the way used on the
attached plan.

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

~~*YES/NO~~

(b) If not, please give details
of original route, date of diversion and
show details on a plan.

6. Have there, to your knowledge,
ever been on the way
any stiles or gates?

~~*YES/NO~~

If so, state (with details
of location) where the stiles
or gates stood.

7.(a) Were you working for any
owner or tennant of land
crossed by the way at the time
when you used it.

~~*YES/NO~~

(b) If so, give particulars and say whether you received
any instructions from the owner/tennant as to the
use of the way by the public? If
so, what were they?

8.(a) Have you ever been stopped or
turned back when using the way
or do you know, or have you heard,
of anyone else having been prevented
from using the route?

~~*YES/NO~~

(b) If so, please
give particulars.

9.(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, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

*YES/NO

NOT ACROSS THE PATH

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

*YES/NO

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

*YES/NO NO

(b) If so, by whom?

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

See [REDACTED]

STATEMENT

AT LIVERY AT HARLEY THIRNE FARM, SO OF COURSE OFTEN USED THE ROUTE WITH MY FAMILY

I KEPT MY HORSE

14. 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?

ONLY BY LETTER OR IF SOMEONE CAME TO THE HOUSE AS I AM NEARLY 90 YRS

*YES/NO

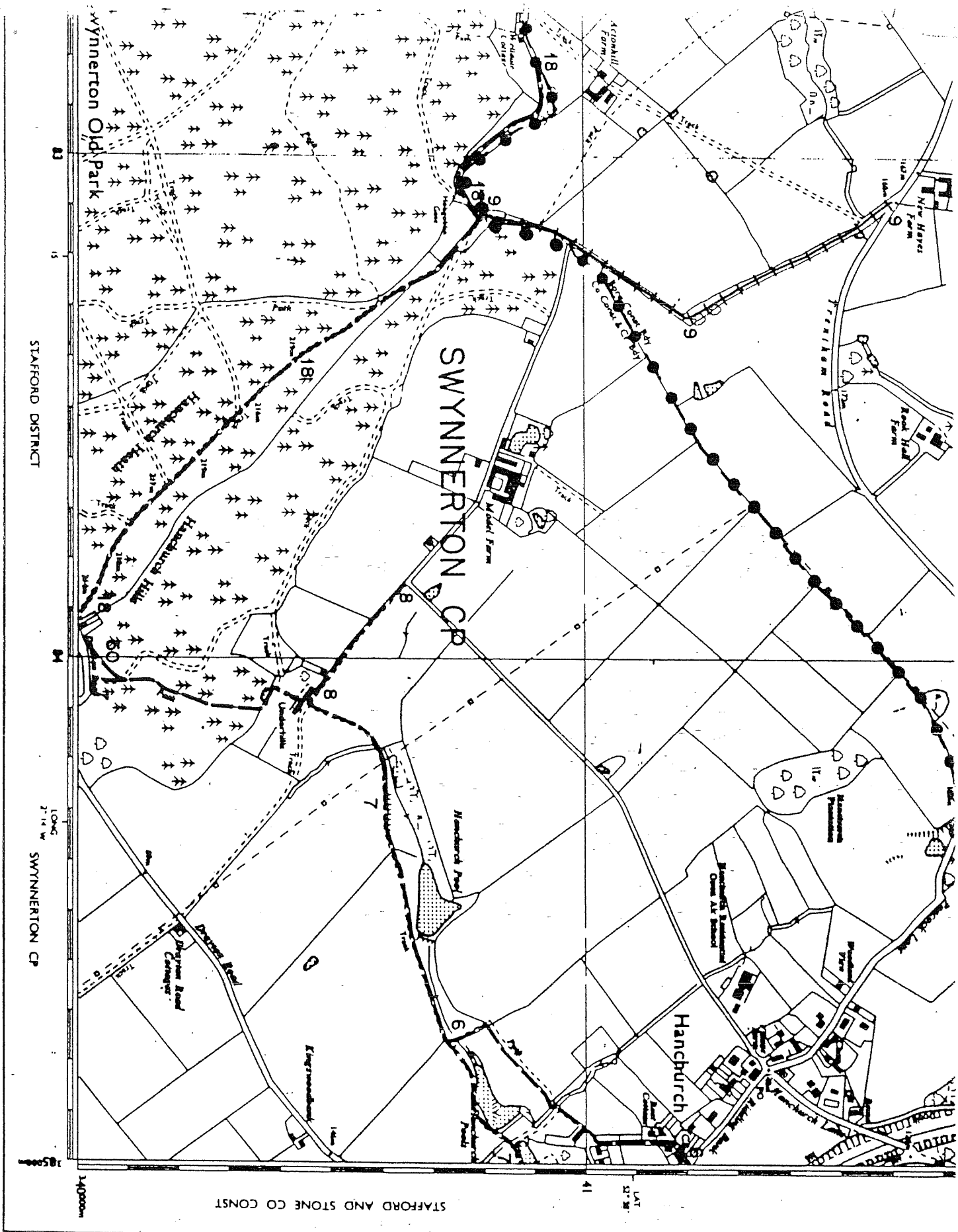
OF AGE AND WOULD FIND ANYTHING ELSE TOO TIRING

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

Person

[REDACTED]

Date 3rd SEPT. 1992



WS 84 SJ

DO

I

SOLEMNLY AND SINCERELY DECLARE as follows:

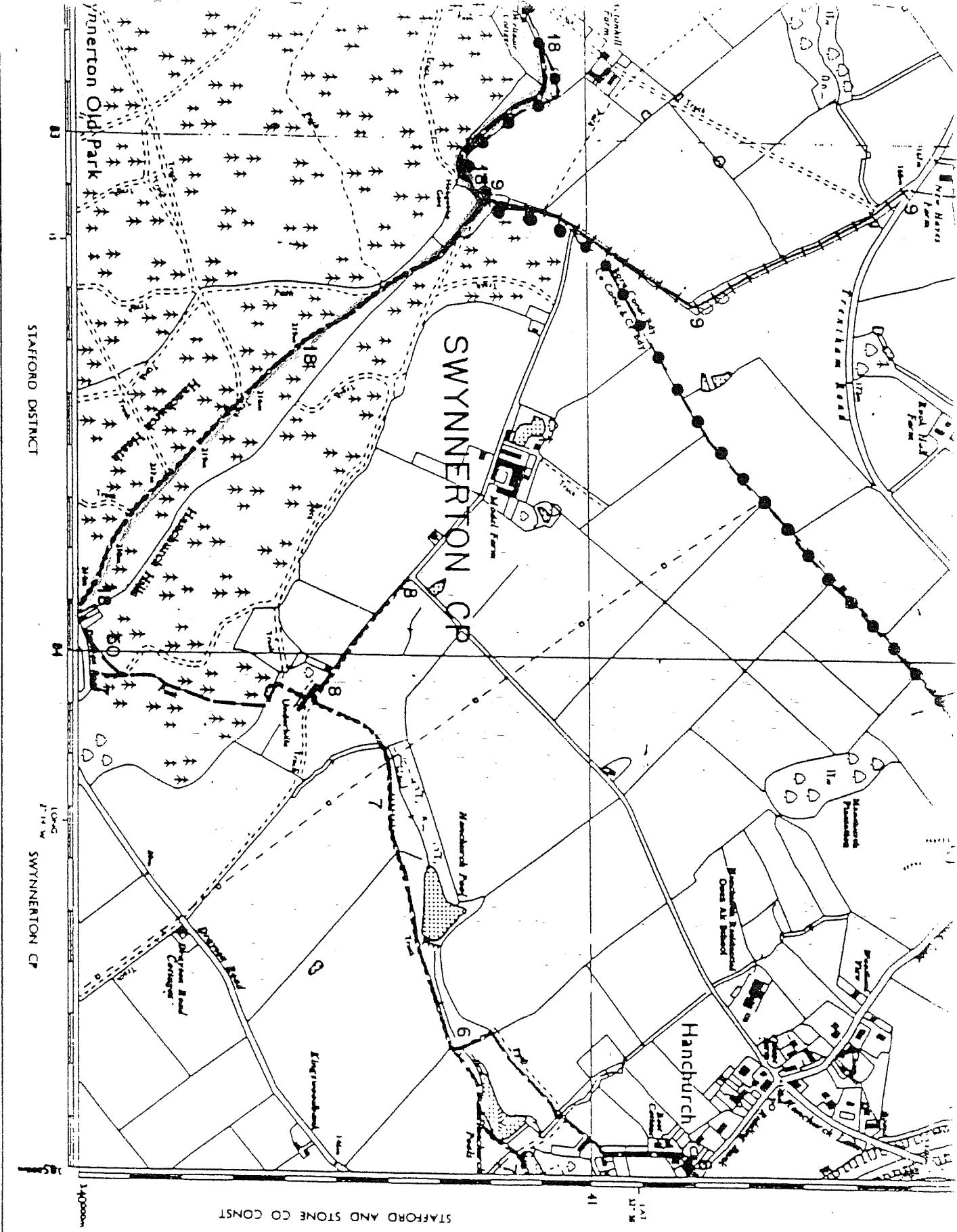
1. I have personally used the footpath number 18 in Swynnerton Parish shown edged red on the plan annexed hereto (exhibit 1) for some forty years both on foot and on horseback either alone or with other members of my family.
2. During all that time the route of the path has never altered to my knowledge. I have always believed it to be a public right of way for people on foot and on horseback.
3. I believe the width of the way to be some fifteen to eighteen feet.
4. Since 1945 approximately I have used the path to cross from Harley Thorne to Acton. I frequently have taken this route on horseback.
5. To my knowledge I have never been prevented from obtaining access nor have I seen any gates or stiles preventing access.
6. I truly believe the way to be a public right of way and that it should be shown on the definitive map as a bridle way in the event that it is not already shown as such.
7. I would be quite prepared to come to Court to give evidence in person if required and I whole heartedly support any application by the Bridle Way Association to confirm the way's true status.

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835

DECLARED at *Stone*
in the County of *Staffordshire*
This *24th* day of *June* 1994

Before me

Solicitor/Commissioner for Oaths



MS 84 JS

~~70-12-12-12~~ ~~5-1-1-1~~ ~~1-1-1-1~~

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

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Name of witness
(Block Cap)

Address
(Block Cap)

Date of Birth

Description of way (include grid references if known): FOOTPATH N^o 18 SWYNNERTON C.P.
From
To

* Please delete as appropriate

1. How many years have you known the way? OVER 40

2.(a) Do you believe the way to be a public right of way? *~~YES~~/NO

(b) If so, is the way

(i) a footpath? (pedestrians only) *~~YES~~/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *~~YES~~/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *~~YES~~/NO

3. How wide is the way?

15 - 18 ft

4. Have you used the above way?

*YES/NO

If so: (a) During which years?

*1945 - ~~1960~~ 1960
then infrequently till 1960
Harlington to Acton
pleasure
frequently
horseback*

- (b) Where were you going from/to?
- (c) For what purpose? (eg work, pleasure)
- (d) How many times a year? (eg daily)
- (e) By what means? (eg on foot, horseback, motor vehicle etc)
- (f) Please show the route of the way used on the attached plan.

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

*YES/NO

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/NO

If so, state (with details of location) where the stiles or gates stood.

7.(a) Were you working for any owner or tennant of land crossed by the way at the time when you used it.

*YES/NO

(b) If so, give particulars and say whether you received any instructions from the owner/tennant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*YES/NO

(b) If so, please give particulars.

9.(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, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way? *YES/NO

the side only to

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way? *YES/NO

(b) If so, state what the notices said and show their approximate position on a plan.

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

(b) If so, by whom?

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

About 1950. My father (C.R. Burne) and I were riding our horses along the side the path, with locked gates in it. A wire fence had been put along the path. My father's horse was frightened by a deer and jumped the wire fence.

14. 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

I certify that, to the best of my knowledge and belief, the contents of this statement are true and correct.

Person taking this statement...

Date *Sept 3rd 1992*

As the gates were locked the only way they could get back on the path was for my father to put his coat over the wire - so that the horse could see the fence - and jump back again. I remember being frightened that the horse would hit the wire I fall (they cleared the fence!) p.16

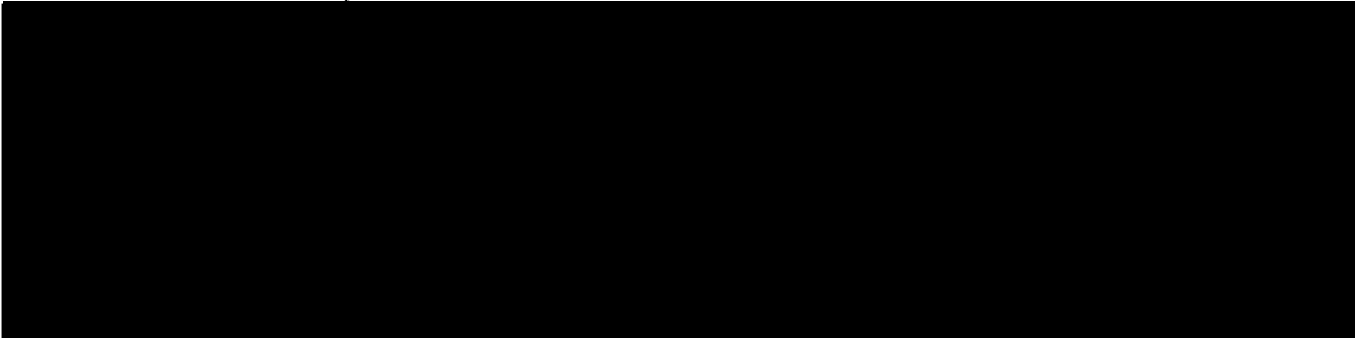
PUBLIC RIGHT OF WAY EVIDENCE FORM



User D

Important Note

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Description of way (include grid references if known):- F.P. N^o18 SWYNNERTON C. P.
From
To

* Please delete as appropriate

1. How many years have you known the way?

12 YEARS

2.(a) Do you believe the way to be a public right of way?

*YES/NO

(b) If so, is the way

(i) a footpath? (pedestrians only)

*YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists)

*YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles)

*YES/NO

3. How wide is the way?

15' - 20'

9.(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, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

~~YES/NO~~

(b) If so, state when and where and show its approximate position on the attached plan.

RECENTLY (SINCE APRIL 1992) AT HOBGOBLIN GATE.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

~~YES/NO~~

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

~~YES/NO~~

(b) If so, by whom?

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

14. 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~~

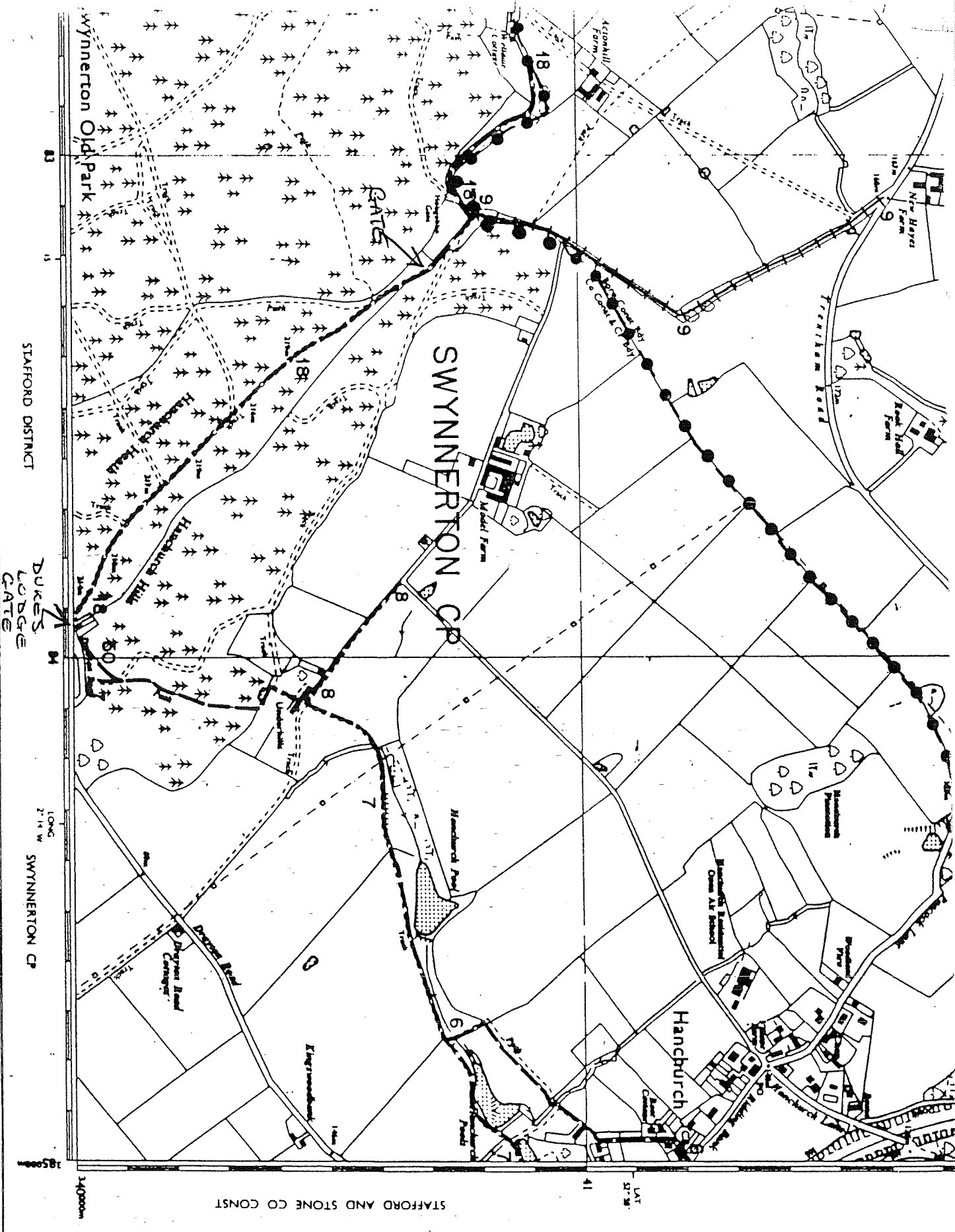
I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature ...



Person taking this statement. MRS W. NAYLON FOR N. STAFFS. BRIDLEWAYS ASSOC.

Date... 26th August 1992...



WS 48 JS

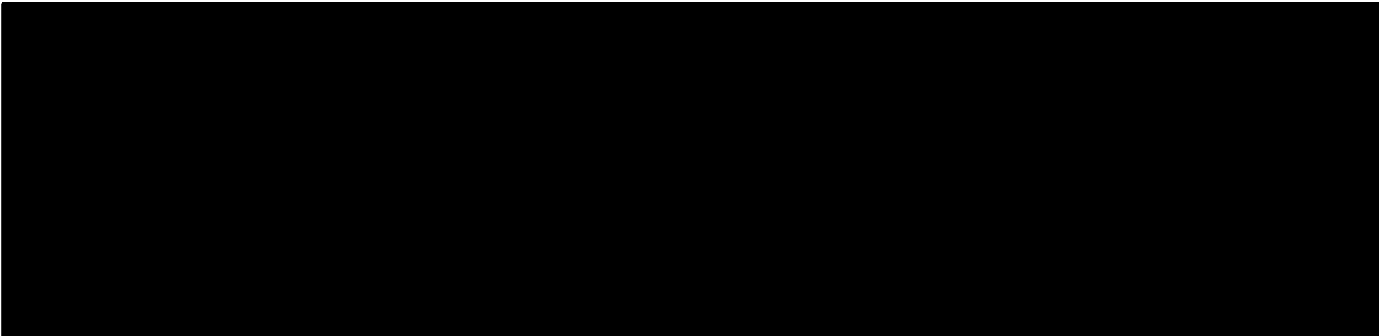
PUBLIC RIGHT OF WAY EVIDENCE FORM



Important Note

User E

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

From DUKES LODGE
To TARMAC LANE THAT THEN LEADS TO ACREW (PAST HORSEBUSHS) GATE

* Please delete as appropriate

1. How many years have you known the way? PRACTICALLY ALL MY LIFE - 284 YEARS

2.(a) Do you believe the way to be a public right of way? *YES/~~NO~~

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/~~NO~~

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way?
ABOUT 10 FOOT WIDE

4. Have you used the above way?

*YES/~~NO~~

If so: (a) During which years?

FROM ABOUT 1972 ONWARDS

(b) Where were you going from/to? HOBBIOLINS GATE TO HANCAIKELI HILLS PICNIC AREA

(c) For what purpose? (eg work, pleasure) PLEASURE

(d) How many times a year? (eg daily) WEEKLY

(e) By what means? (eg on foot, horseback, motor vehicle etc) HORSEBACK + ON FOOT

(f) Please show the route of the way used on the attached plan.

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

*YES/~~NO~~

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/~~NO~~

If so, state (with details of location) where the stiles or gates stood. A SWING GATE ATTACHED TO A LARGE GATE (SIZE OF FIELD GATE) AT THE TOP CORNER OF HOBBIOLINS GATE - AND DOUBLE GATES ATTACHED TO A SWING GATE (GOING OUT ON ROAD OPPOSITE HANCAIKELI HILLS PICNIC AREA)

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it.

*YES/NO

(b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*YES/NO

(b) If so, please give particulars.

9.(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, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way? *~~YES~~/NO

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way? *~~YES~~/NO

(b) If so, state what the notices said and show their approximate position on a plan.

BUT THERE USED TO BE A "STANDARD" HOLDING WOODEN BOARDS TO STAMP OUT ANY FIRES SOMEWHERE NEAR THE GATE OUTGANG - I CAN'T REMEMBER THE EXACT POSITION SOMEWHERE NEAR HOBBOBINS GATE - BUT THEY HAVE LONG SINCE GONE.

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

(b) If so, by whom?

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

14. 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?

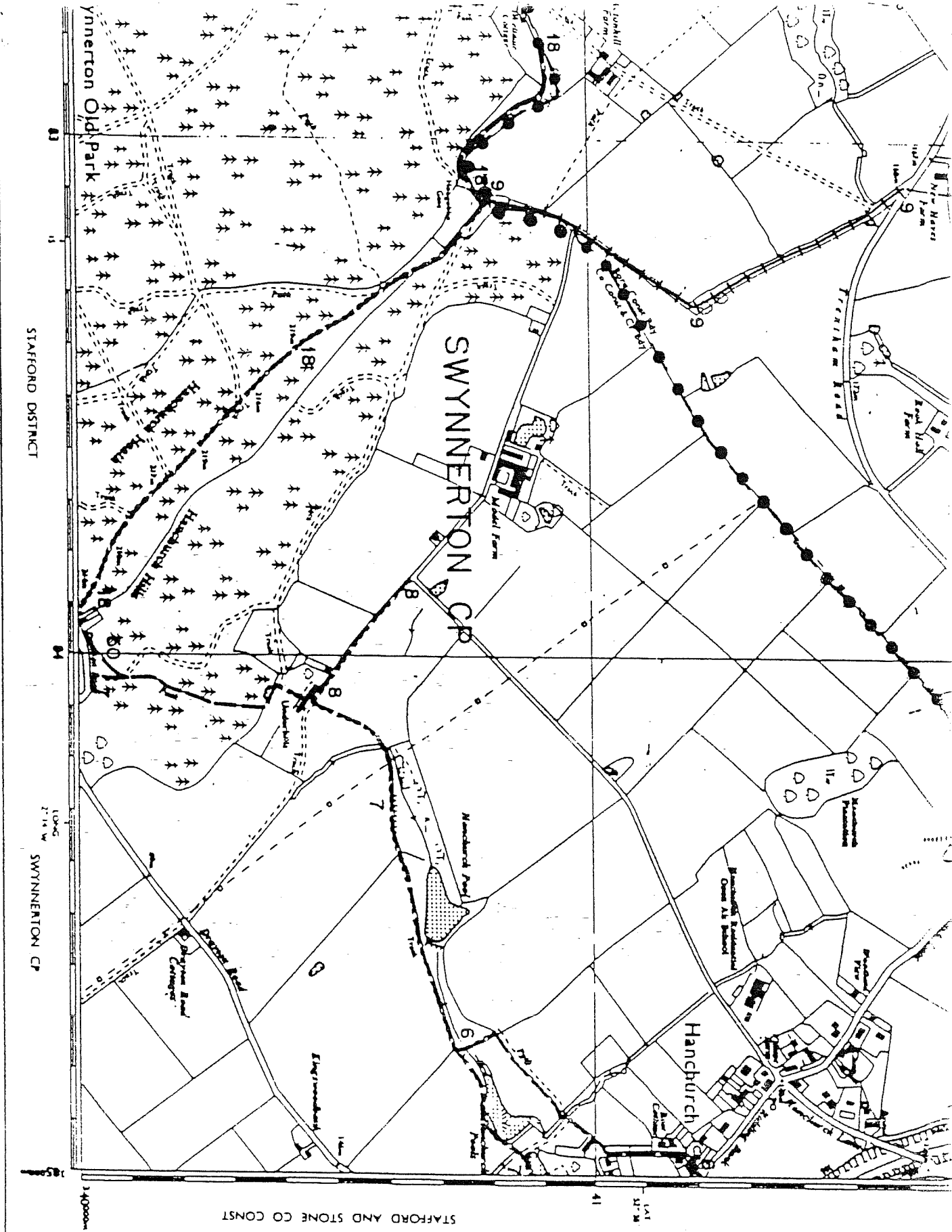
*~~YES~~ ~~NO~~ YES / ~~NO~~

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

Signature [REDACTED]

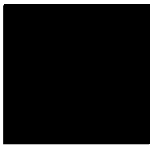
Person taking this statement.....

Date. 21/7/04



MS 48 JS

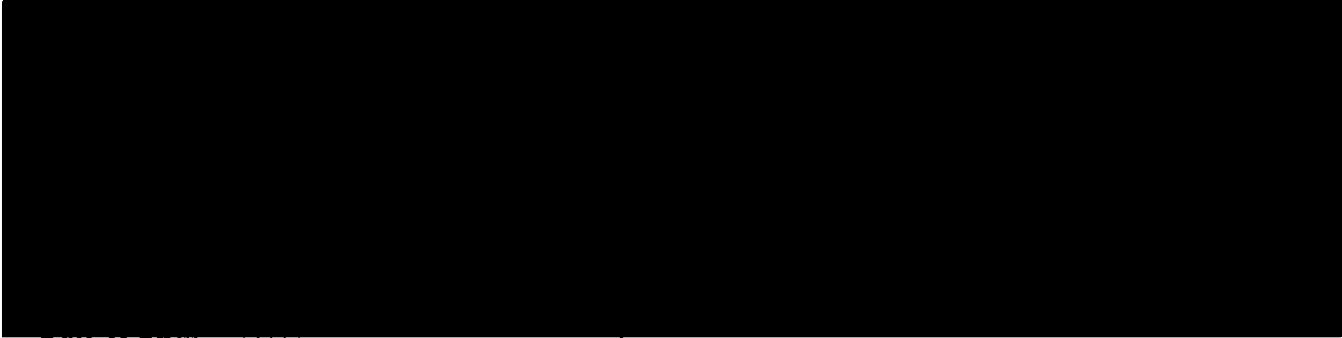
PUBLIC RIGHT OF WAY EVIDENCE FORM



Important Note

User F

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

* Please delete as appropriate

1. How many years have you known the way? 34 YRS.

2.(a) Do you believe the way to be a public right of way? *YES/NO

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way? approximately 15'

4. Have you used the above way?

~~YES/NO~~

If so: (a) During which years?

1958 to 1963

- (b) Where were you going from/to? CIRCULAR RIDE FROM WOODCASTLE, THROUGH BUTTERTON
- (c) For what purpose? (eg work, pleasure) PLEASURE
- (d) How many times a year? (eg daily) WEEKLY DURING SUMMER MONTHS.
- (e) By what means? (eg on foot, horseback, motor vehicle etc) ON HORSEBACK
- (f) Please show the route of the way used on the attached plan. ✓

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

~~YES/NO~~

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

~~YES/NO~~

If so, state (with details of location) where the stiles or gates stood.

WOODEN GATE AT EACH END
USUALLY OPEN

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it.

~~YES/NO~~

(b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

~~YES/NO~~

(b) If so, please give particulars.

9.(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, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

~~*YES/NO~~

(b) If so, state when and where and show its approximate position on the attached plan.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

~~*YES/NO~~

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

~~*YES/NO~~

(b) If so, by whom?

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

14. 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~~

I certify that, to the best of my knowledge

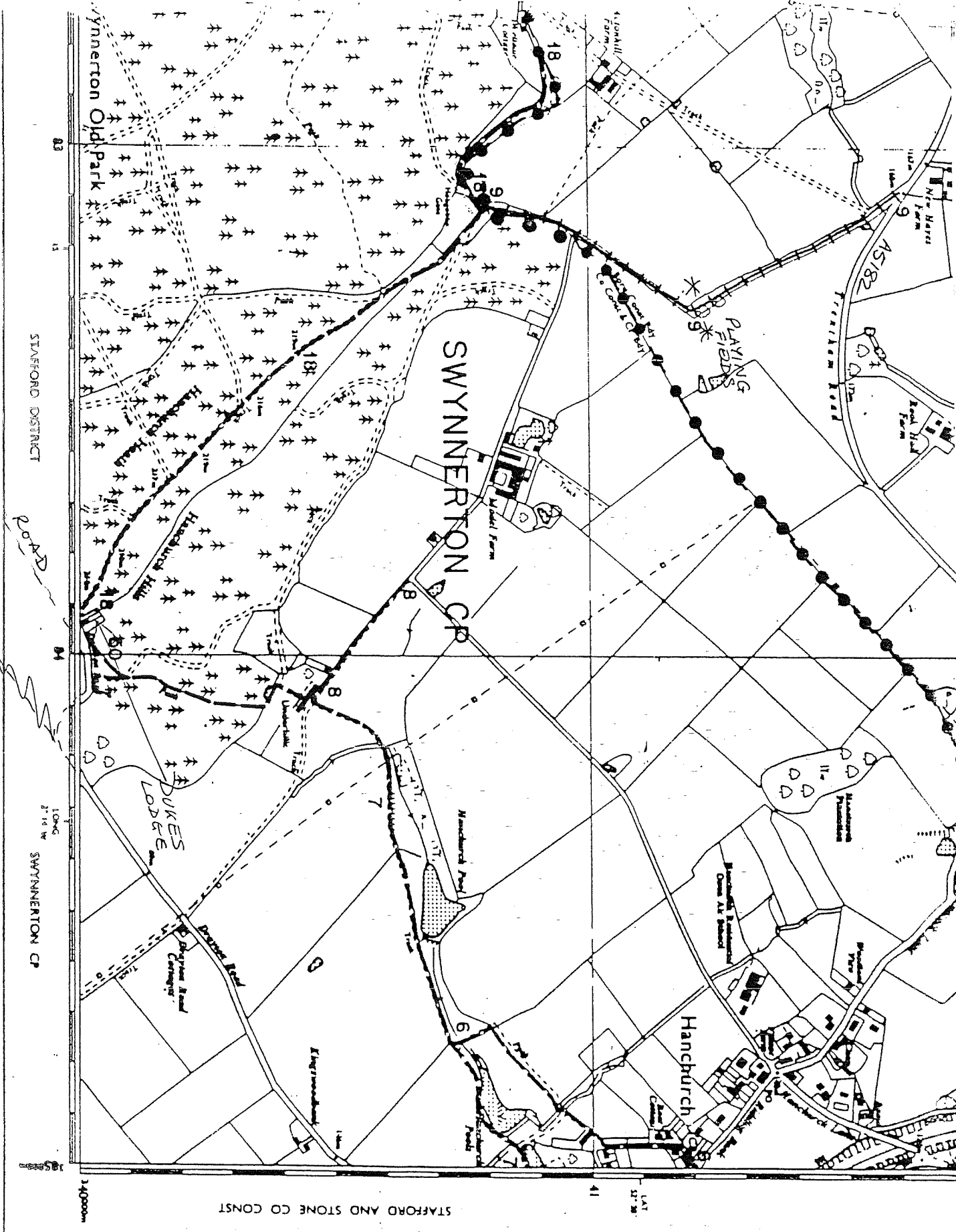
Person taking this statement.....

Date.....

9/9/93

✓

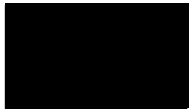
N.S.B.A.



WS 84 SJ

* WATER TOWER IS APPROX. HERE

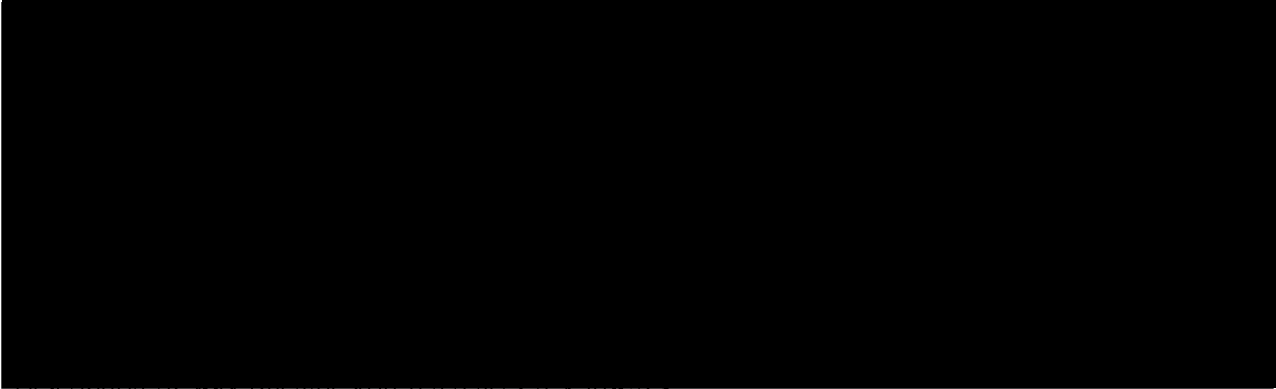
PUBLIC RIGHT OF WAY EVIDENCE FORM



User G

Important Note

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Description of way (include grid references if known)
~~From~~ FP NO 18 SWYNNERTON CP.
~~TO~~ FROM DEGT LANE HANChurch HILLS, OPPOSITE FP 19. SJ839400
TO END OF COUNTY ROAD ABOUT 150 YDS S.W. OF ACTON HILL FARM
* Please delete as appropriate

1. How many years have you known the way? FORTY

2.(a) Do you believe the way to be a public right of way? *YES/NO

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/NO

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/NO

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way?

APPROX 20 FEET

so: (a) During which years? 1952 - 1992. BETWEEN 1952 and 1972 only occasionally as I did not own a horse

- (b) Where were you going from/to?
- (c) For what purpose? (eg work, pleasure)
- (d) How many times a year? (eg daily)
- (e) By what means? (eg on foot, horseback, motor vehicle etc)
- (f) Please show the route of the way used on the attached plan.

1952 - 1962 from Butterton to Hanchurch, for pleasure on average once a week on horse back.
 from 1972 - 1982 ~~for pleasure~~ from Chase Lane - Butterton from 1982 - 1992 from Oulton ~~for~~ Butterton to visit my mother now elderly, on horseback

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

*YES/NO

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/NO

If so, state (with details of location) where the stiles or gates stood.

HOBGOBLIN GATE
 (MARKED ON MAP)
 STILL STANDS.

7.(a) Were you working for any owner or tennant of land crossed by the way at the time when you used it.

*YES/NO

(b) If so, give particulars and say whether you received any instructions from the owner/tennant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*YES/NO

(b) If so, please give particulars.

7.(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, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

1992 *YES/NO

(b) If so, state when and where and show its approximate position on the attached plan.

DUKES LODGE GATE AND HOBGOBLIN GATE. (ON MAP)

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

*YES/NO

(b) If so, state what the notices said and show their approximate position on a plan.

THIS YEAR 1992 IT SAYS PERMIT HOLDERS ONLY FOR RIDING FROM FORESTRY COMMISSION

12.(a) Have you ever been given permission to use the way?

*YES/NO

(b) If so, by whom?

1992 I PAYED FOR A PASS FROM THE FORESTRY COMMISSION AS MY VISITS TO MY MOTHER ON MY HORSE BRING HER PLEASURE

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

THE BRIDLEWAY USED TO BE FENCED SO THERE WAS NO RIDING

IN THE WOOD. THERE WAS A HORSESHOE SIGN ON DUKES LODGE GATE

14. 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

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

Signature .



Person taking this statement.....

Date..... 1992.....

4

PUBLIC RIGHT OF WAY EVIDENCE FORM

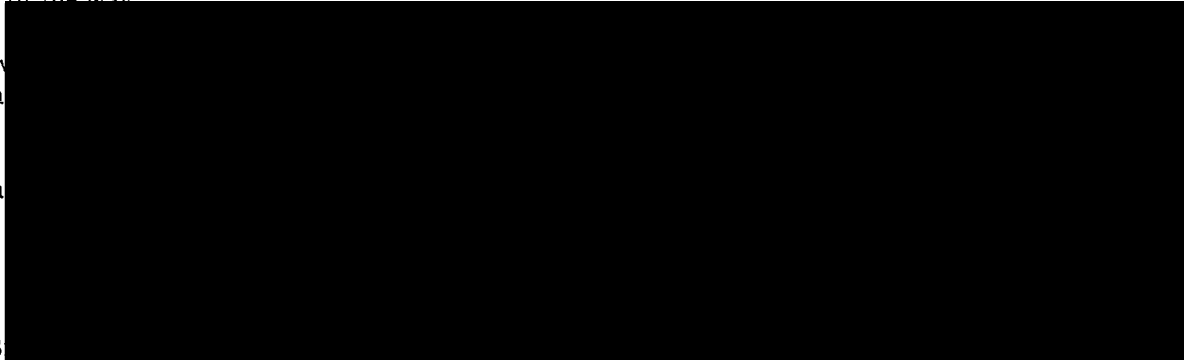
Important Note

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Name of
(Block Ca

Address
(Block Ca

Date of B



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



* Please delete as appropriate

1. How many years have you known the way? *All my life - hidden since 1969*

2.(a) Do you believe the way to be a public right of way? **YES/NO*

(b) If so, is the way

(i) a footpath? (pedestrians only) **YES/NO*

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) **YES/NO*

(iii) a by-way open to all traffic? (all uses including vehicles) **YES/NO only Forestry Commission vehicles.*

3. How wide is the way?
In part very narrow (one vehicle width) from Acton widening into Limestone road with rough verges.

4. Have you used the above way?

*YES/

If so: (a) During which years?

1969 - 1992 (stopped in 1992 due to ill-health) started again in 1994.

(b) Where were you going from/to?

(c) For what purpose? (eg work, pleasure)

(d) How many times a year? (eg daily)

(e) By what means? (eg on foot, horseback, motor vehicle etc)

(f) Please show the route of the way used on the attached plan.

b) Toft Farm up Drayton Road to said route to ride to friends houses in Acton and return - twice weekly. (Welldale + The Gables)

e) Horseback and foot with family.

f) As marked in green on plan and beyond at either end.

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

*YES/

(b) If not, please give details of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/

If so, state (with details of location) where the stiles or gates stood.

Five bar gate at either end of the limestone path plus wicket gates (clearly marked for horses and easy to open).

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it.

*/NO

(b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*/NO

(b) If so, please give particulars.

(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 so, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way?

* YES /

(b) If so, state when and where and show its approximate position on the attached plan.

Both five bar gates chained and padlocked
wicket gates still open for use and
light brown square signs placed on left
hand side of gate with horse-shoe on,
painted on white.

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way?

* / NO

(b) If so, state what the notices said and show their approximate position on a plan.

12.(a) Have you ever been given permission to use the way?

* / NO

(b) If so, by whom?

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

14. 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 /

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

Signature

Person taking this statement

Date ... 6th January 1995

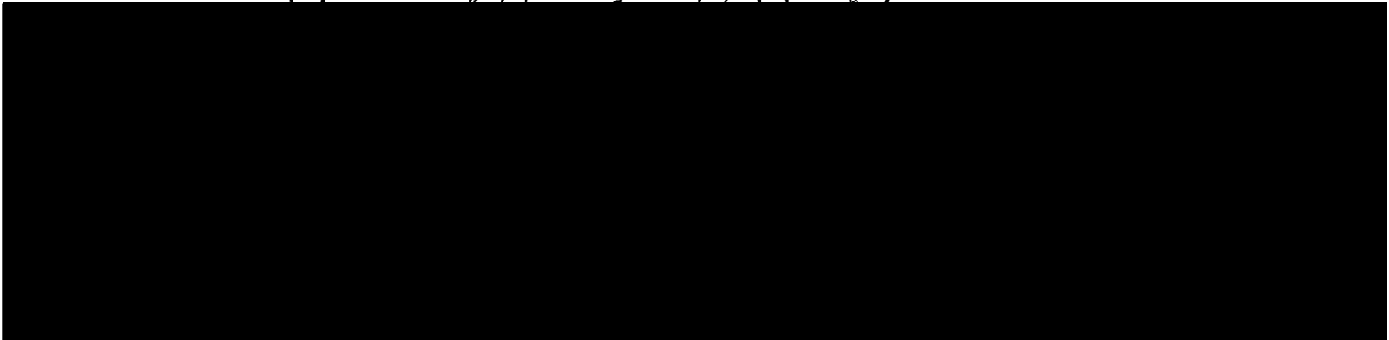
PUBLIC RIGHT OF WAY EVIDENCE FORM



User 1

Important Note

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

From Welldale Cottage & Hobgoblin Gate to Dog Lane, Handchere Hills
To Opposite Footpath 19.

* Please delete as appropriate *to*

1. How many years have you known the way? *1978.*

2.(a) Do you believe the way to be a public right of way? *YES/~~NO~~

(b) If so, is the way

(i) a footpath? (pedestrians only) *YES/~~NO~~

(ii) a bridleway? (pedestrians, horse riders and pedal cyclists) *YES/~~NO~~

(iii) a by-way open to all traffic? (all uses including vehicles) *YES/NO

3. How wide is the way? *As wide as a road*

4. Have you used the above way?

*YES/NO

If so: (a) During which years?

1978 to the present

(b) Where were you going from/to?

to Haunchurch Hills from Acton

(c) For what purpose? (eg work, pleasure)

pleasure

(d) How many times a year? (eg daily)

at weekends

(e) By what means? (eg on

foot, horseback,

motor vehicle etc)

horseback

(f) Please show the route of

the way used on the

attached plan.

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

*YES/NO

(b) If not, please give details

of original route, date of diversion and show details on a plan.

6. Have there, to your knowledge, ever been on the way any stiles or gates?

*YES/NO

If so, state (with details of location) where the stiles or gates stood.

as marked

Gate at each end

7.(a) Were you working for any owner or tenant of land crossed by the way at the time when you used it.

*YES/NO

(b) If so, give particulars and say whether you received any instructions from the owner/tenant as to the use of the way by the public? If so, what were they?

8.(a) Have you ever been stopped or turned back when using the way or do you know, or have you heard, of anyone else having been prevented from using the route?

*YES/NO

(b) If so, please give particulars.

9.(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, give particulars and dates.

10.(a) Have you ever known of any locked gate or obstruction to the way? *YES/NO

(b) If so, state when and where and show its approximate position on the attached plan. *Since the Forestry Commission closed all the woods to riders except those holding permits, they have keys*

11.(a) Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted', on or near the way? *YES/NO

(b) If so, state what the notices said and show their approximate position on a plan.


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

(b) If so, by whom? *By the Forestry Commission in the last couple of years*

13. Can you give any further particulars about the way (continue on a separate sheet of paper if necessary). *The route is a short cut to the other bridle path, near Keepers Cottage leading to the old pumping station*

14. 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

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

Signature 

Person taking this statement.....

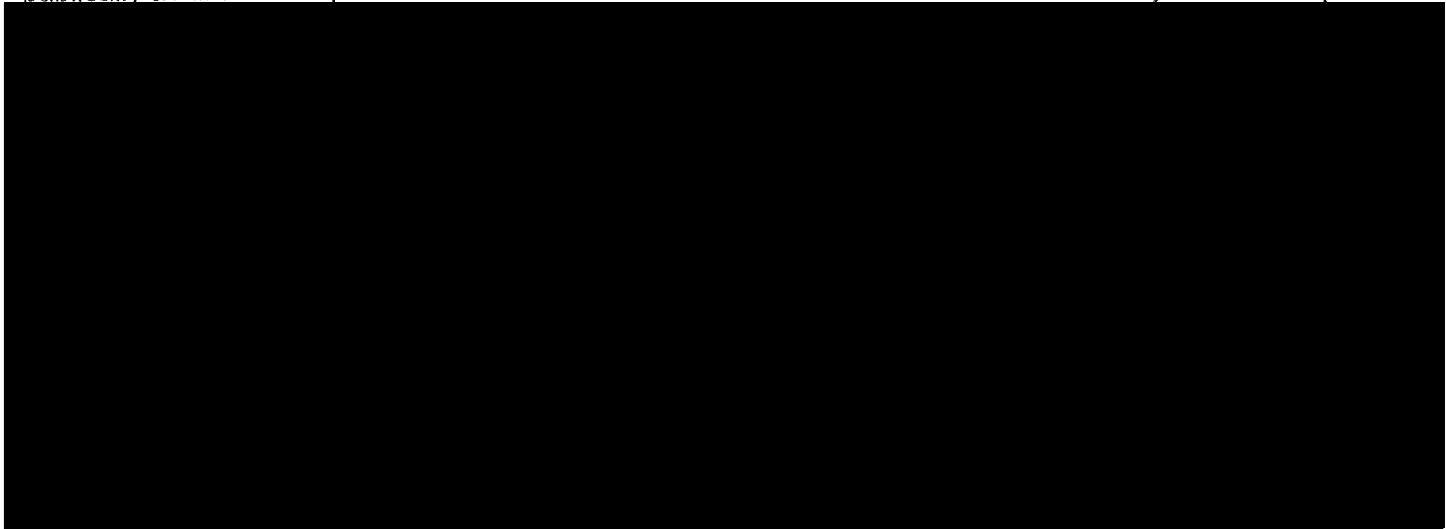
Date *3rd May 1994*.....

DECLARATION

Data Protection Act 1998

Under the Data Protection Act the OMA has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the OMA's website.



Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential

It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.

If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.

The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

Information on this page of the Statement will be redacted and not made publically available

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order- Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Name of witness
(Block Capitals please)

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.

(BY WELDALE)

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

From FOOT PATH 18 AT END OF PUBIC ROAD
To IN IT'S ENTIRETY TO PUBLIC ROAD BY
DUKES LODGE

Please take time to answer the questions carefully and in full

1. Map of the Application Route

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please put your initials on your map and date it. If you have only used part of the way please mark or indicate the part used. DO NOT ADD YOUR FULL SIGNATURE.

2. (a) How many years have you known the way? ABOUT 40 YEARS

(b) Does the way have a popular name? *YES/NO

If so, what is it?

(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? From 1980 To 2020

(f) Where were you going from/to? BATTERTON / SWYNERTON WOODS

(g) For what purpose? (eg work, pleasure) PLEASURE

(h) Is, or was, the way a short cut for you? NO

(i) If so why?

3. (a) Do you still use the way? *YES/NO

(b) If not, why not?

4. Have you lived at any other addresses during the time you have used the path or way? *YES/NO

If yes, please provide details of locations and years [full addresses are not required]

TUNSTALL 1980'S. ACTON 2020'S

5. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

.....

.....

.....

6. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot						
On horseback		✓				
By pedal cycle						
By motor vehicle						
By horse-drawn vehicle						

7. Has the application route always followed the same course?

*YES/NO

If no – how and when was the route altered?

.....

.....

.....

8. Approximately how wide is the application route?

3 METRES

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how or please state 'don't know']

9. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

.....

STONE & GRAVEL

.....

10. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)? ~~YES~~/NO

If YES, please give details including when this happened

.....
.....

11. (a) Have you ever been stopped or turned back when using the application route? ~~YES~~/NO

If YES, please give details including when this happened

.....
.....
.....

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

If YES please give details including dates.

.....
.....

12. If you have ridden a horse on the way ~~YES~~/NO

(a) Where did you keep the horse? WHITMORE RIDING SCHOOL

(b) Where did you start and finish your ride? BUTTERTON (START)
FINISH IN BUTTERTON (WHERE STABLED)

(c) Were you ever riding with the hunt when you used the way? ~~YES~~/NO

13. (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? OCCASIONAL HORSE & CART

(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?

14. (a) Has the way always been on the same route? *YES/~~NO~~

(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/~~NO~~

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

15. (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 and state, if known, when they were erected or removed?

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

(d) Please mark on the attached plan the locations of the locked gates.

16. (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? 2 KISSING GATES
ERECTED 27/04/2020
(ii) When they were erected or removed? REMOVED 1/06/2020

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

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

If so by whom or what? KISSING GATES, ERECTED BY LAND OWNER EITHER SIDE OF PATH.

When was this? 27th APRIL 2020 UNTIL 1/06/2020

(b) Have you continued to use the way despite hindrances or obstructions *~~YES~~/NO

(c) How did you do this? (e.g. diversion) LONG DIVERSION THROUGH HANChurch WOODS

- (d) Is the hindrance or obstruction still in existence *~~YES~~/NO
18. (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) Was the land ever owned or tenanted by a relative of yours? *~~YES~~/NO

If so, what was their relationship to you?

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

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(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? *YES/NO

(ii) If so, what were your instructions?

- (g) 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?

19. (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?

20. (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 appropriate date of their display and show their approximate position on the attached plan? *YES/NO

.....
.....
.....

21. (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 or posts said and show their approximate position on the attached plan?

22. (a) Have you ever been given permission to use the way? (Whether or not you asked for it) *~~YES~~/NO

(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?

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

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

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

COMPANIONS -

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

(e) How frequently did you see other people using the way? (ie ~~daily~~, weekly, seasonal etc)

(f) How many other people; approximately, did you see on these occasions? 1-5

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

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

25. (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)

(c) Would you be willing to make the original document available if necessary? *YES/NO

Other Information

26. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.) *YES/NO

If yes – please provide details

.....
.....
.....

27. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way? [Continue on a separate sheet if necessary] [If you wish to provide a separate sketch map, please do so and attach to this statement]

I HAVE RIDDEN THIS PATH FOR 40 YEARS
ON HORSEBACK MANY TIMES WEEKLY
OR MORE OFTEN AT WEEKENDS

28. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route? *YES/~~NO~~

29. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary? *YES/~~NO~~

Statement of Truth

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATIONS ABOVE AND THE WARNING BELOW

Your Signature



Date:

9th June 2020

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.



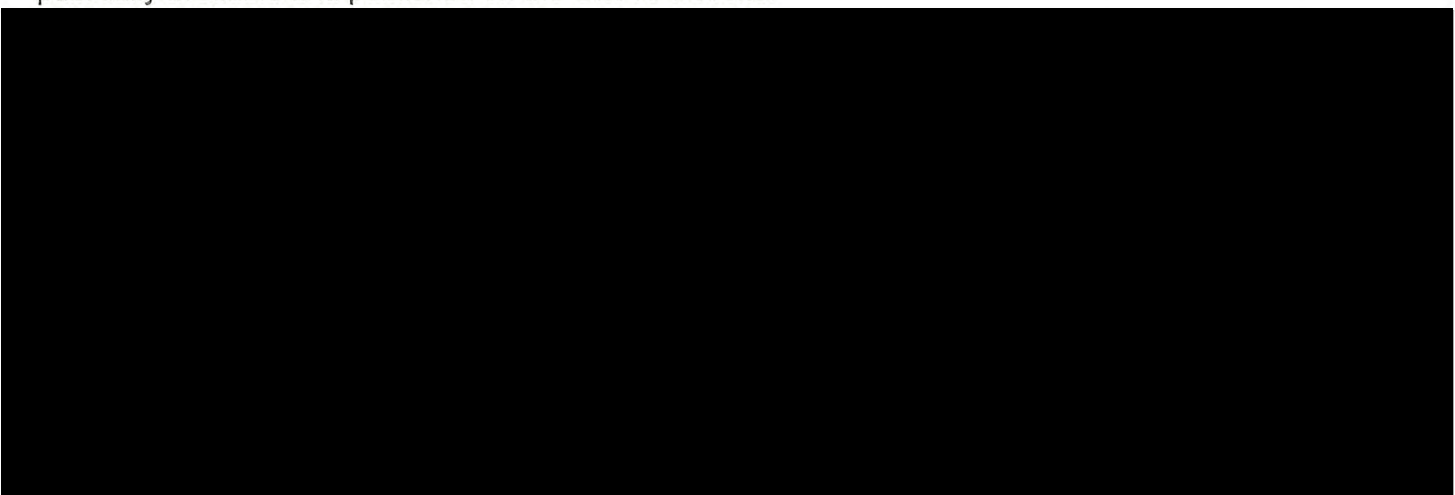
User K

DECLARATION

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(If retired, what was your previous occupation?)

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential

It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.

If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.

The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

Information on this page of the Statement will be redacted and not made publically available

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Name of witness

(Block Capitals please)

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) FOOTPATH SWYNERTON LG
From WELLDARE, SOUTH EAST OF ACTON, SJ 82752, 40887, ST54JD
To DUKES LODGE, DRAYTON ROAD, SWYNERTON, STAFFORD, ST48SN
SJ 83928, 39444

Please take time to answer the questions carefully and in full

1. Map of the Application Route

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please put your initials on your map and date it. If you have only used part of the way please mark or indicate the part used. **DO NOT ADD YOUR FULL SIGNATURE.**

2. (a) How many years have you known the way? 26 YEARS

(b) Does the way have a popular name? *~~YES~~/NO

If so, what is it?

(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? From... 1994... To... 2020

(f) Where were you going from/to? WHITMORE RIDING SCHOOL, SHUTLAND HEAD

(g) For what purpose? (eg work, pleasure) PLEASURE

(h) Is, or was, the way a short cut for you? NO ALTERNATIVE FOR

(i) If so why? HORSES

3. (a) Do you still use the way? *~~YES~~/NO

(b) If not, why not?

4. Have you lived at any other addresses during the time you have used the path or way? *~~YES~~/NO

If yes, please provide details of locations and years [full addresses are not required]

.....

14. (a) Has the way always been on the same route? *YES/NO

(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/NO

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

..... YES, KEPT TO THE ROUTE

15. (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 and state, if known, when they were erected or removed?

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

.....

(d) Please mark on the attached plan the locations of the locked gates.

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

(b) If YES, state (i) what type of obstruction was this? 2x KISSING GATES

(ii) When they were erected or removed? 27/4/2020 INSTALLED
1/6/2020 REMOVED

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

..... WELDALE OWNER / WHITMORE PARISH COUNCIL

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

If so by whom or what? KISSING GATES ILLEGALLY ERECTED

BY WELDALE OWNER AND WHITMORE PARISH

When was this? 27/4/2020 TO 1/6/2020

.....

(b) Have you continued to use the way despite hindrances or obstructions *YES/NO

(c) How did you do this? (e.g. diversion)

..... NO DIVERSION AVAILABLE

- (d) Is the hindrance or obstruction still in existence *YES/NO
18. (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.....

N/A

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

If so, what was their relationship to you?

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

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(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? *YES/NO

(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? *YES/NO

If so, what was their relationship to you?

19. (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 you were told?

(iii) What were you told?

20. (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 appropriate date of their display and show their approximate position on the attached plan? *YES/NO

.....
.....
.....

21. (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 or posts said and show their approximate position on the attached plan?

FINGER POST AT HOBGOBLIN - JUNCTION WITH WHITMORE'S BRIDLEWAY (WHISPER LAWF)

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

(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?

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

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

(c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? SOME ON HORSE, FRIENDS

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

(e) How frequently did you see other people using the way? (ie daily, weekly, seasonal etc) WEEKLY

(f) How many other people, approximately, did you see on these occasions? 5-10

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

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

25. (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

(c) Would you be willing to make the original document available if necessary? *YES/NO

Other Information

26. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.) *YES/~~NO~~

If yes – please provide details

..... APPLICATION LF602G

.....

.....

27. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way? [Continue on a separate sheet if necessary] [If you wish to provide a separate sketch map, please do so and attach to this statement]

.....

.....

.....

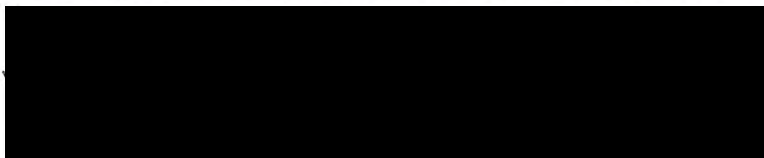
.....

28. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route? *YES/~~NO~~

29. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary? *YES/~~NO~~

Statement of Truth

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATIONS ABOVE AND THE WARNING BELOW



Date: 14/6/2020

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

Furthermore, it is noted that the records should be kept in a secure and accessible format. Regular backups are recommended to prevent data loss in the event of a system failure or disaster.

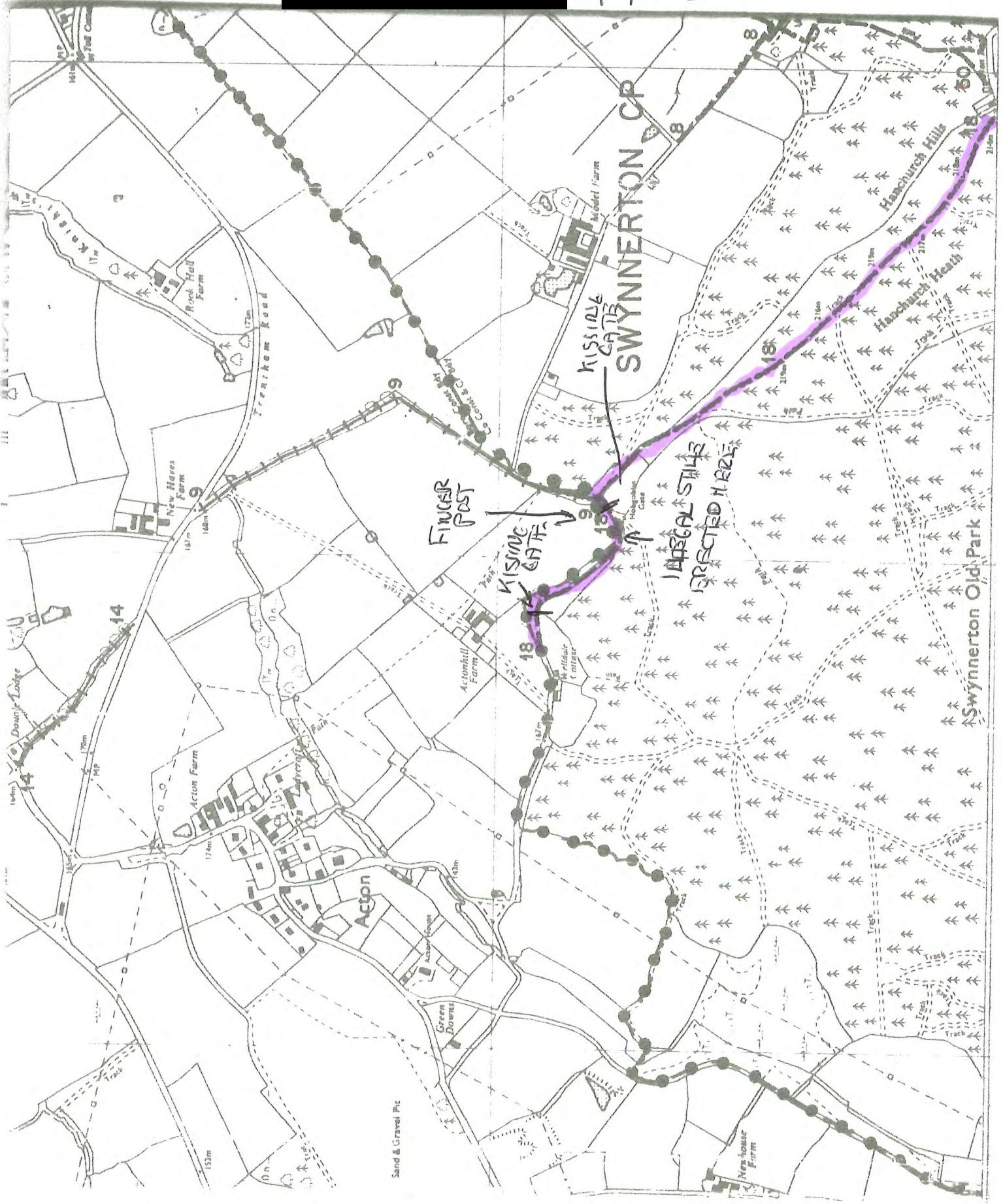
In addition, the document highlights the need for a clear and consistent naming convention for all files and folders. This helps in organizing the data and makes it easier to locate specific information when needed.

The second part of the document provides a detailed overview of the current status of the project. It includes a summary of the progress made to date and identifies any potential risks or challenges that may arise in the future.

The project has been progressing well, with most of the initial objectives being met. However, there are some areas where further attention is required, particularly in terms of resource allocation and timeline management.

It is recommended that the project team continue to monitor the situation closely and adjust the plan as necessary. Regular communication and reporting will be essential to ensure that the project remains on track and meets its intended goals.

02/09/2020



DEFINITIVE MAP SCALE 1:10 000 (ABOUT 6" = 1 MILE)

 = Route



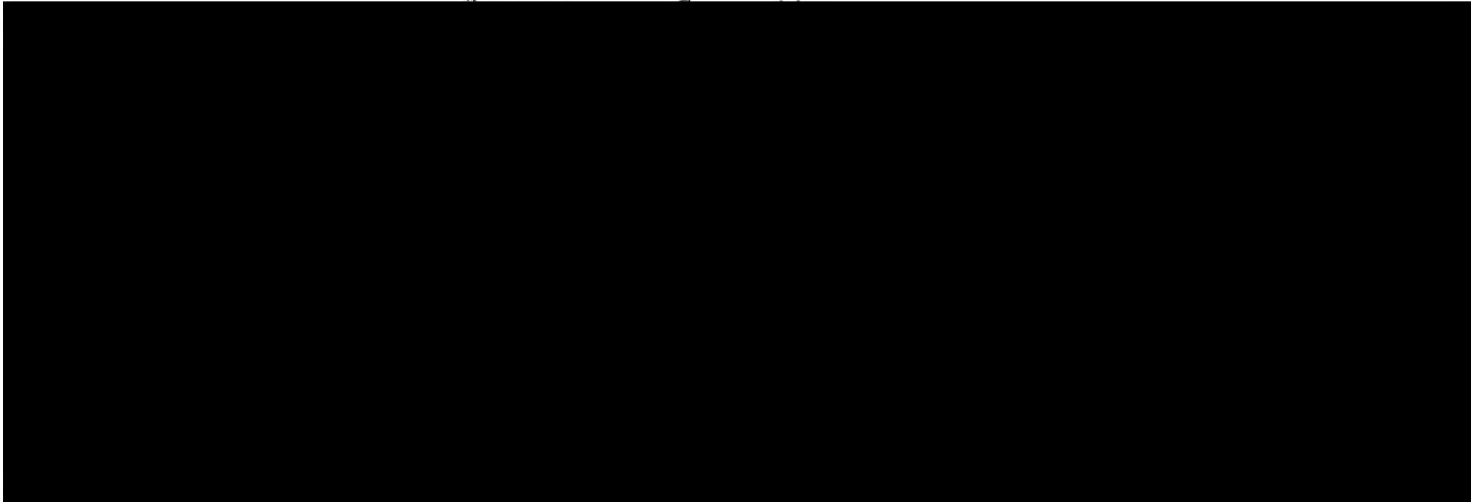


DECLARATION

Data Protection Act 1998

Under the Data Protection Act the OMA has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the OMA's website.



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Staffordshire

County Council

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If completing the statement by hand, please ensure it is written legibly and in black ink.

Name of
(Block C

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

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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 FOOT PATH IS That begins at The end of a public
to road (Oak Tree lane) out of Acton to Drayton Road Harchurch

Please take time to answer the questions carefully and in full

1. Map of the Application Route

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please put your initials on your map and date it. If you have only used part of the way please mark or indicate the part used. **DO NOT ADD YOUR FULL SIGNATURE.**

2. (a) How many years have you known the way? 25 YEARS

(b) Does the way have a popular name? YES/ NO

If so, what is it?

(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? From 1995 To 2020

(f) Where were you going from/to? WESTLANDS WHITMORE RIDING SCHOOL
SHUT LANE HEAD.

(g) For what purpose? (eg work, pleasure) PLEASURE

(h) Is, or was, the way a short cut for you? NO

(i) If so why?

3. (a) Do you still use the way? YES/ NO

(b) If not, why not?

4. Have you lived at any other addresses during the time you have used the path or way? YES/ NO

If yes, please provide details of locations and years [full addresses are not required]

26 ABBOTS WAY, WESTLANDS, NEWCASTLE STAFFS.

1982 - 2012

5. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

Yes - When a Rising gale briefly blocked the way.

6. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot						
On horseback		✓				
By pedal cycle						
By motor vehicle						
By horse-drawn vehicle						

7. Has the application route always followed the same course?

*YES/~~NO~~

If no – how and when was the route altered?

.....

8. Approximately how wide is the application route?

3 METRES.....

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how or please state 'don't know']

9. What type of surface does the application route have? (for example grass, gravel, earth)
 [For varying surfaces, please describe with reference to your map]

EARTH NOW GRAVEL ON TOP.....

10. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)? *~~YES~~/NO

If YES, please give details including when this happened

.....
.....

11. (a) Have you ever been stopped or turned back when using the application route? *YES/NO

If YES, please give details including when this happened

.....
.....
.....

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

If YES please give details including dates.

.....
.....

12. If you have ridden a horse on the way *YES/~~NO~~

(a) Where did you keep the horse? ...WHITMORE RIDING SCHOOL.....

(b) Where did you start and finish your ride? ..FROM^{TO}...WHITMORE RIDING SCHOOL.....

(c) Were you ever riding with the hunt when you used the way? *YES/NO

13. (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?

14. (a) Has the way always been on the same route? *YES/~~NO~~

(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/~~NO~~

(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

15. (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 and state, if known, when they were erected or removed?

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

(d) Please mark on the attached plan the locations of the locked gates.

16. (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? 2 kissing gates.....

(ii) When they were erected or removed? erected ~ 27/April/20
Removed 1/6/20

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

..... Mr Stuart Wilson - adjacent landowner Acton Hill Farm

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

If so by whom or what? kissing gates

When was this? 27/4/20 - 1/6/20

(b) Have you continued to use the way despite hindrances or obstructions *YES/NO

(c) How did you do this? (e.g. diversion)

- (d) Is the hindrance or obstruction still in existence *~~YES~~/NO
18. (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) Was the land ever owned or tenanted by a relative of yours? *YES/NO

If so, what was their relationship to you?

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

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(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? *YES/NO

(ii) If so, what were your instructions?

- (g) 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?

19. (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 you were told?

(iii) What were you told?

20. (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 appropriate date of their display and show their approximate position on the attached plan? *YES/NO

.....
.....
.....

21. (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 or posts said and show their approximate position on the attached plan? finger post at the junction of this path + whisper have bridle path

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

(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?

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

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

(c) Were they accompanying you? If so, please give details. (ie companions, rambling club, family, etc)? ON OCCASION - FAMILY

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

(e) How frequently did you see other people using the way? (ie ~~daily~~, weekly, seasonal etc)

(f) How many other people, approximately, did you see on these occasions? 5-10

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

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

25. (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

(c) Would you be willing to make the original document available if necessary? *YES/NO

Other Information

26. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.) *YES/NO

If yes – please provide details

.....
.....
.....

27. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way? [Continue on a separate sheet if necessary] [If you wish to provide a separate sketch map, please do so and attach to this statement]

This route is accessible from Acton, by horse, foot or cycle. It takes you into Hanchurch woods and a wider path that is fully accessible to families, cyclists, walkers and riders.

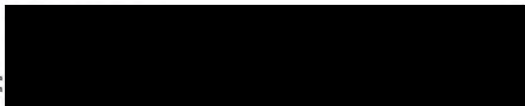
28. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route? *YES/NO

29. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary? *YES/NO

Statement of Truth

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATIONS ABOVE AND THE WARNING BELOW

Your Signature:



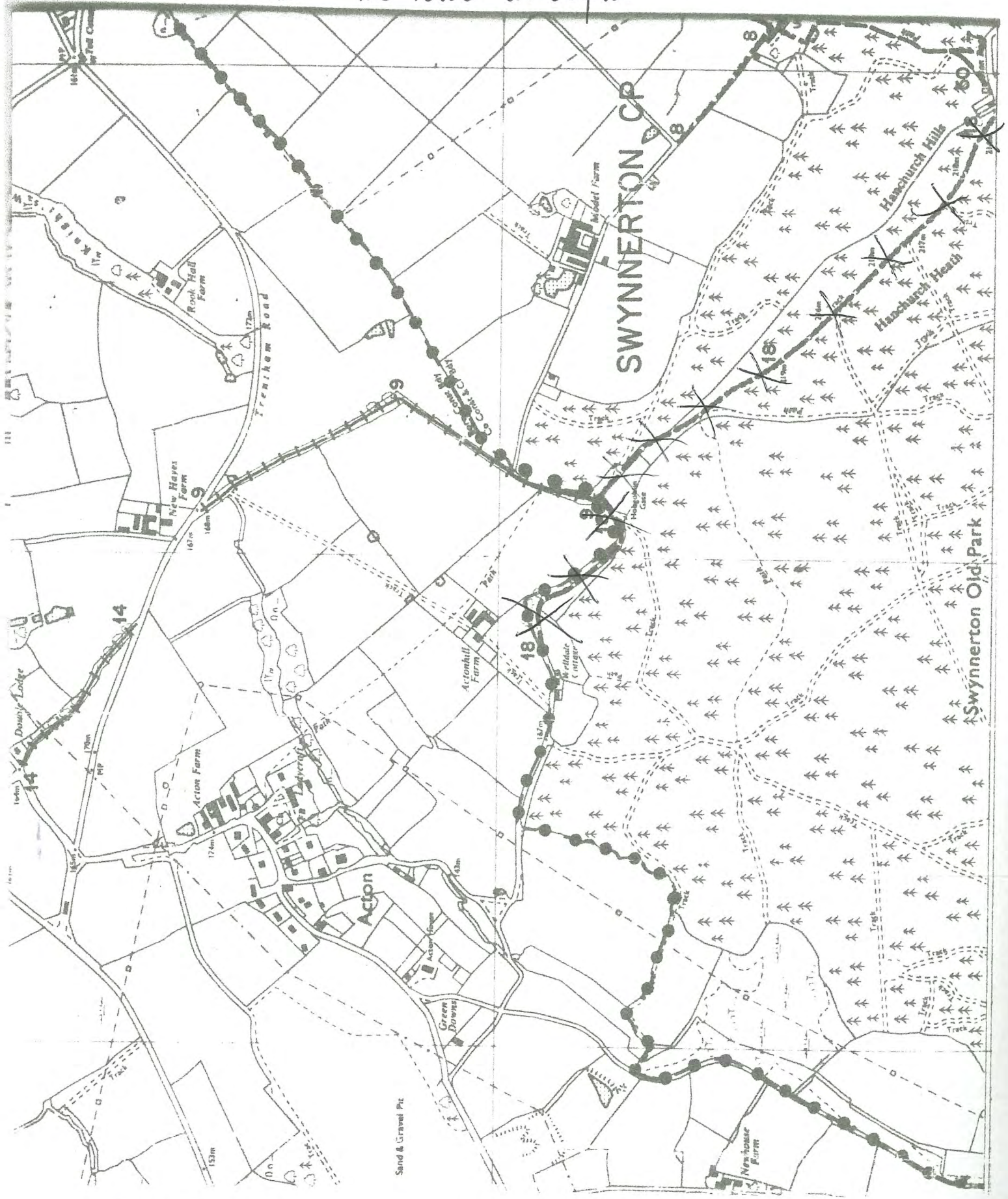
Date: *10/6/2020*

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

10th June 2020.

XX This marks the route in dispute



DEFINITIVE MAP

SCALE 1:10 000 (ABOUT 6" = 1 MILE)

Staffordshire
County Council



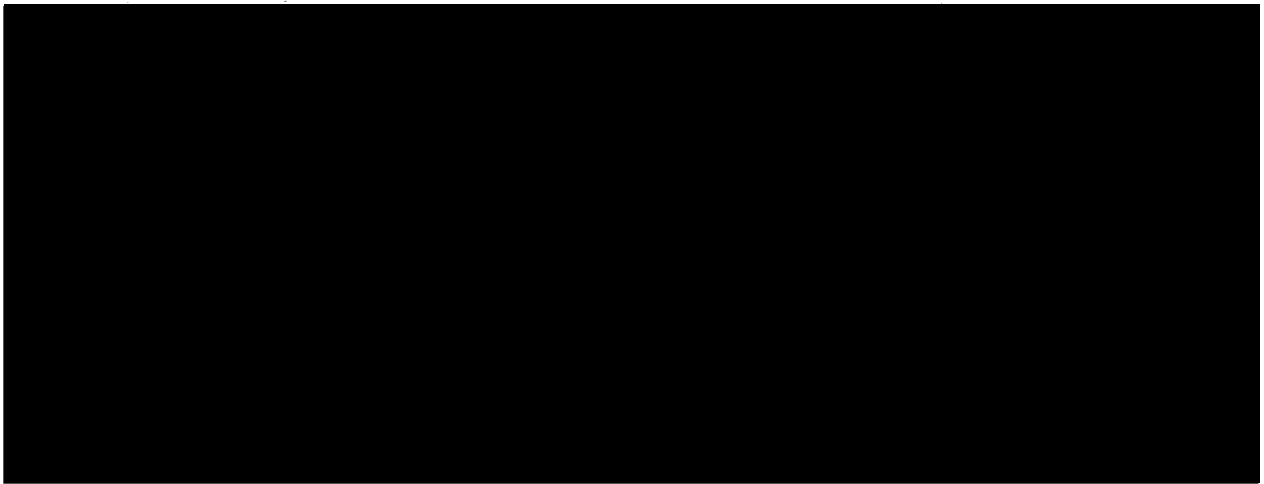
User M

DECLARATION

Data Protection Act 1998

Under the Data Protection Act the OMA has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the OMA's website.



(If retired, what was your previous occupation?)

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential

It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.

If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.

The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

Information on this page of the Statement will be redacted and not made publically available

Staffordshire

County Council

PUBLIC RIGHT OF WAY EVIDENCE FORM **Important Note**

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order- Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.



(Block Capitals please)

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 Public road at Welldale
To Lodges on public road opposite Harley Thorn Lane

Please take time to answer the questions carefully and in full

1. Map of the Application Route

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please put your initials on your map and date it. If you have only used part of the way please mark or indicate the part used. **DO NOT ADD YOUR FULL SIGNATURE.**

2. (a) How many years have you known the way? 23 YEARS

(b) Does the way have a popular name? ~~YES~~/NO

If so, what is it?

(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? From 1997 To 2020

(f) Where were you going from/to? WHITMORE RIDING SCHOOL, SHUT LANE HEAD

(g) For what purpose? (eg work, pleasure) PLEASURE

(h) Is, or was, the way a short cut for you? NO

(i) If so why?

3. (a) Do you still use the way? *YES/~~NO~~

(b) If not, why not?

4. Have you lived at any other addresses during the time you have used the path or way? *~~YES~~/NO

If yes, please provide details of locations and years [full addresses are not required]

.....

5. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

YES RECENTLY WHEN GATES WERE
ERECTED BLOCKING THE ROUTE

6. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot						
On horseback		✓				
By pedal cycle						
By motor vehicle						
By horse-drawn vehicle						

7. Has the application route always followed the same course?

*YES

If no – how and when was the route altered?

.....
.....
.....

8. Approximately how wide is the application route?

3 METRES

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how or please state 'don't know']

9. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

GRAVEL, STONE AND EARTH

10. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)? ~~YES~~/NO

If YES, please give details including when this happened

.....
.....

11. (a) Have you ever been stopped or turned back when using the application route? ~~YES~~/NO

If YES, please give details including when this happened

.....
.....
.....

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

If YES please give details including dates.

.....
.....

12. If you have ridden a horse on the way ~~YES~~/NO

(a) Where did you keep the horse? WHITMORE RIDING SCHOOL

(b) Where did you start and finish your ride? RETURNING TO WHITMORE RIDING SCHOOL

(c) Were you ever riding with the hunt when you used the way? ~~YES~~/NO

13. (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?

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

*YES/NO

(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/NO

(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

15. (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 and state, if known, when they were erected or removed?

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

.....

(d) Please mark on the attached plan the locations of the locked gates.

16. (a) Excluding locked gates, have you ever known of any other obstructions to the way?

*YES/NO

(b) If YES, state (i) what type of obstruction was this? 2 x KISSING GATES.

ERECTED 27.4.20

(ii) When they were erected or removed? AND REMOVED 1.6.20.

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

..... OWNER AT WELLDALE

17. (a) Has your usage ever been hindered or prevented in any way?

*YES/NO

If so by whom or what? KISSING GATES ERECTED 27.4.20 - 1.6.20.

When was this? 27.4.20 - 1.6.20

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

*YES/NO

(c) How did you do this? (e.g. diversion)

.....

- (d) Is the hindrance or obstruction still in existence *~~YES~~/NO
18. (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..... N/A

- (c) Was the land ever owned or tenanted by a relative of yours? *~~YES~~/NO

If so, what was their relationship to you?

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

(e) If YES to (d),

(i) What was your employment?

(ii) Between what years were you employed?

(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? *YES/NO

(ii) If so, what were your instructions?

- (g) 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?

19. (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 you were told?

(iii) What were you told?

20. (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 appropriate date of their display and show their approximate position on the attached plan? *YES/NO

.....
.....
.....

21. (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 or posts said and show their approximate position on the attached plan? .. FINGER POST AT THE

JUNCTION OF THE PATH WITH WHISPER LANE BRIDLE PATH

22. (a) Have you ever been given permission to use the way? (Whether or not you asked for it) *~~YES~~/NO

(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?

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

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

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

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

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

(f) How many other people, approximately, did you see on these occasions? ... 2-6

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

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

25. (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

(c) Would you be willing to make the original document available if necessary? *~~YES~~/NO

Other Information

26. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc.) *~~YES~~/NO

If yes – please provide details

.....
.....
.....

27. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way? [Continue on a separate sheet if necessary] [If you wish to provide a separate sketch map, please do so and attach to this statement]

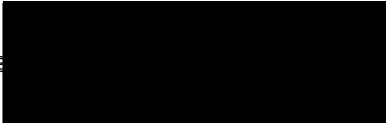
This route has been used by horse riders for many years and provides safe access to handwood woods.

28. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route? *YES/~~NO~~

29. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary? *YES/~~NO~~

Statement of Truth

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATIONS ABOVE AND THE WARNING BELOW

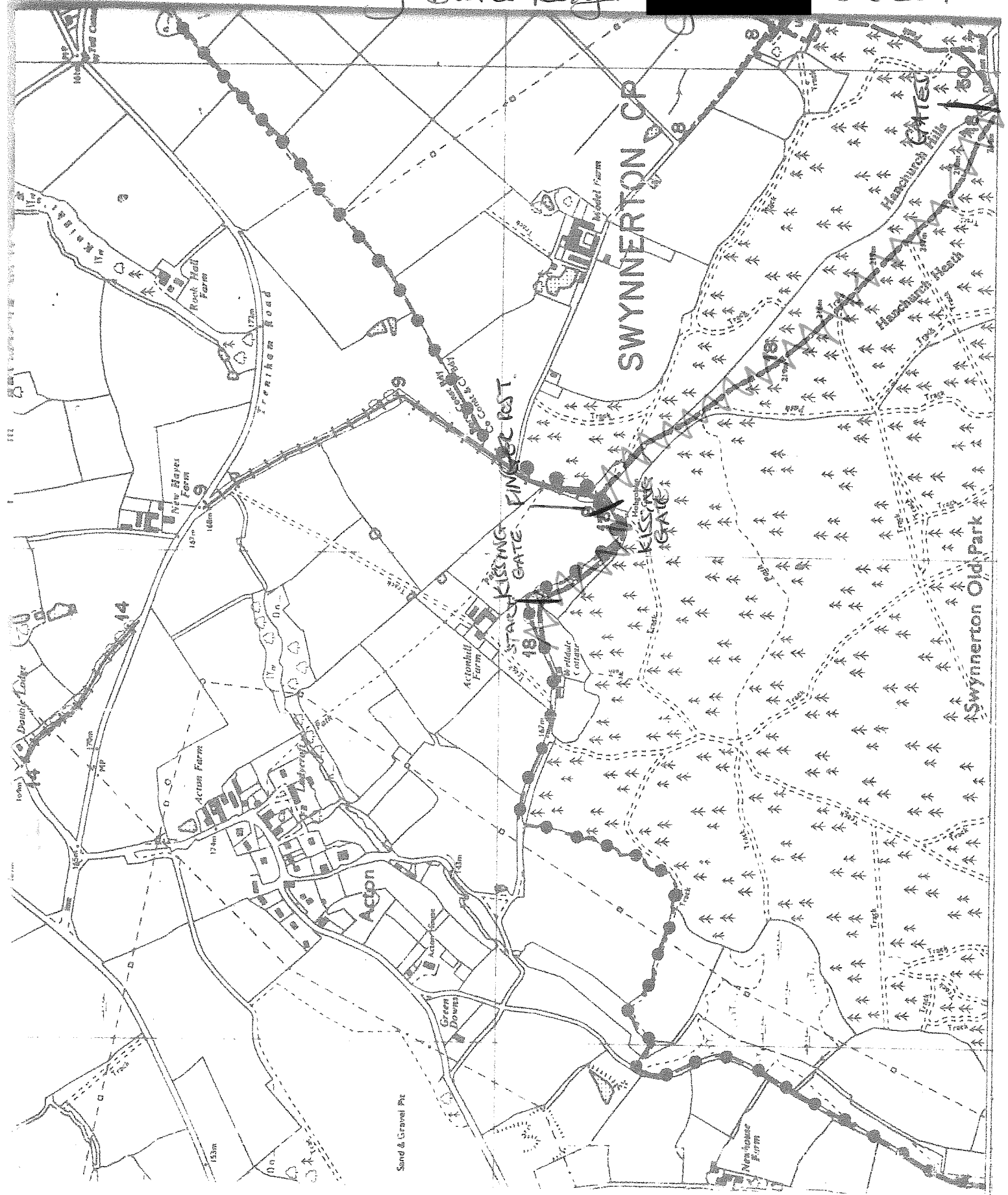
Your Signature 

Date: 24.6.20.

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Way marked from Wleldale to Dayton Road
 starting from end of public road at public
 road by Duke's Lodge [REDACTED] 23.6.20.

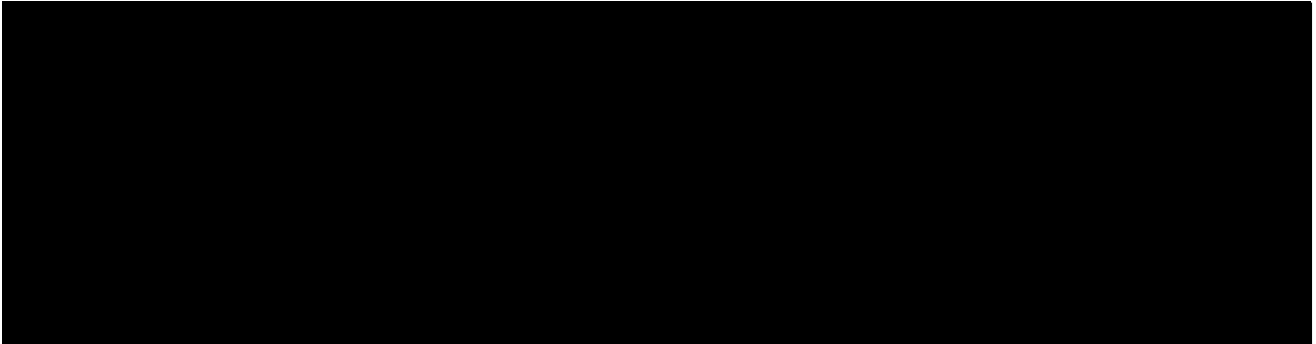


DEFINITIVE MAP SCALE 1:10 000 (ABOUT 6" = 1 MILE)

W = Marks the route.

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.



(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

To

Please take time to answer the questions carefully and in full

1. (a) How many years have you known the way? 45 YEARS
(b) Does the way have a popular name?
(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? From 1970's To 2019
(f) Where were you going from/to? Butterton, Over to Hankyurett, Back to Acton
(g) For what purpose? (eg work, pleasure) PLEASURE
(h) How many times a year? (eg daily, weekly, seasonal) WEEKLY IN SUMMER, SPRING
(i) By what means? (eg on foot, horseback, motor vehicle etc) HORSE BACK
(j) Is, or was, the way a short cut for you? No
(k) If so why?

(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?
(n) If not why not?

2. When using the path where did you live? NEWCASTLE STAFFS

If at different places please provide details and years.

3. (a) How wide is the way? IT VARIES

(b) Is it the same width throughout its length? WIDER AT ACTON END
NARROW TOWARDS WOOD

4. If you have ridden a horse on the way
(a) Where did you keep the horse? BUTTERTON

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

(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? *~~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**, 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?
STAYED TO ROUTE.....
-

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 and state, if known, when they were erected or removed.
- (d) If any gates on the way were ever locked please state, how often, and if known, by whom?
- 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? *YES/NO
- (b) **If YES**, state (i) what type of obstruction was this?
- (ii) When they were erected or removed?
- (c) Please state, if known, who erected the obstructions and show the approximate position of the obstructions on the attached plan.

9. Has your usage ever been hindered or prevented in any way? *~~YES~~/NO
 If so by whom or what?
 When was this?
 Have you continued to use the way despite hindrances or obstructions *YES/NO
 How did you do this? (e.g. diversion)
 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.
 (c) Was the land ever owned or tenanted by a relative of yours? *~~YES~~/NO
 If **so**, what was their relationship to you?
 (d) When you used the way were you working for any owner or tenant of the land adjoining or crossed by the way? *~~YES~~/NO
 (e) If **YES to (d)**,
 (i) What was your employment?
 (ii) Between what years were you employed?
 (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? *YES/NO
 (ii) If **so**, what were your instructions?
 (g) 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?

11. (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.

.....
.....

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? *~~YES~~/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? *~~YES~~/NO

(b) If **YES**, please state what the notices said appropriate date of their display and show their approximate position on the attached plan? *~~YES~~/NO

14. (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 or posts said and show their approximate position on the attached plan?

.....

15. (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?
-

16. (a) Have you seen other people using the way? *YES/~~NO~~
- (b) How were they using the way (ie foot, horse)? HORSES, WALKERS.....
- (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) MONTHLY, SOMETIME MONTHS.....
- (f) How many other people, approximately, did you see on these occasions? 2+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? *~~YES~~/NO
If so, by whom?
-

18. (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)
MAP.....
- (c) Would you be willing to make the original document available if necessary? *YES/NO

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

THIS TRACK ~~ALSO~~ ALLOWS HORSE RIDERS SAFE ACCESS INTO WOODS. WITHOUT THIS TRACK THERE NEXT TO NONE SAFE OFF ROAD RIDING IN THE AREA.

LOTS OF OTHER COUNTIES HAVE GOOD OFF ROAD RIDING. STAFFORDSHIRE (NEWCASTLE-UNDER-LYME) IS VERY POOR. IT REALLY IS A MASSIVE SAFETY ISSUE, AS THERE ARE MORE MOTOR VEHICLES ON THE ROADS THEN EVER.

PLEASE SEE ATTACHED MAP, AND HISTORY OF ACTON.

LOCAL ACTON HISTORY.

cottages occupied by families of names of Beardmore, Bell, Palmer, Chatterley, Dawson, Holland, Muckhall, Swynnerton, Lee, Hammond and Thomkin. In 1788 the Whitmore and Acton estates were resettled on all the then living male descendants. In 1796 yet another Edward Mainwaring, bought the common land known as Brown Heath in Acton from the other freeholders.

Parties or families involved in land transactions from 1747 to 1832 include Stanway, Austin, Eardley, Swynnerton and Hassall. In 1832 Thomas Stanway sold to Ralph Sneyd of Keele Hall land known as Bromley Field and Longcroft with dwelling houses and outbuildings. In 1877 various fields in Acton were owned by the Reverend Walter Sneyd also from Keele Hall.

The census of 1841 shows about 167 people and children registered as inhabitants of Acton. Families by the name of Bennett, Pickford, Shaw, Boote and one Samson Fairbanks who appears to have been a butcher.

Most families had 5 or 6 children, producing them at fairly regular two yearly intervals. It would seem that most occupations were as agricultural labourers or farmers. James Goodall aged 35 is mentioned as a wheelwright. There are brickmakers listed who more than likely worked at the brickworks at Shutlane Head. The later Post Office Directory for Acton dated 1868 names the following people and their occupations:

William Chester, farmer, Acton Farm.
Timothy Clewlow, farmer.
Richard Fairbanks, farmer.
James Goodall, wheelwright.

Samuel Myatt, farmer.
Philip Silvester, farmer.
William Skerratt, shoemaker.

Acton has always been an agricultural community and is approached from Newcastle up the pretty hill named the "Hayled" with Acton Hall Farm at the top. This is one of the two remaining working farms in the village and is over two hundred years old and it may even have been the site of the old Acton Hall. In 1948 Mr. Doug Atkin took on the farm and has lived in it with his family since. His late wife Jean was a member of the Downs family her father having been born at New House Farm, Acton. He could recall the earthquake which shook the area and the farm buildings in 1915 – a frightening experience.

The lane leads on below the farm where several pretty old cottages used to stand. Judging by the photos one was an attractive black and white building, which could have dated back to the sixteenth or seventeenth century. The two Springfield Cottages and the house Janston (which was built in the 1970s) are now in this area. Between the Springfield Cottages and the house named Ladycroft, was a pathway leading to the natural spring, where in times gone by inhabitants would walk to fetch their supply of water in buckets. At this time some people would occasionally ride in their dogcarts down Wood Lane to Welldale Cottage "to drink the water", which was said to be beneficial! The borough of Newcastle refused to pipe water to Acton, but in 1932 Mr. Rafe Cavanagh Mainwaring organised for a piped water supply to be laid on – after the discovery of a dead cat in the water source!

The above mentioned pathway led on across the fields passing Acton Hill Farm – which was built for the Mainwaring Estate in 1854 – and is said to be the route taken to go to church at Swinnerton and also for funeral processions – thereby being a "Funeral Route" and thus making it a right of way.

The Methodist Movement has played an important part in the history of Acton. The big hill which rises up behind the houses was called Gospel Hill because it was here that Methodist preachers would come to preach the Gospels in the open air, probably standing beneath a large oak tree which stood there. The famous John Wesley, who started to preach in the open around 1739, could even have preached there himself on one of his many journeys on horseback around the country. The present Chapel – which is an important landmark – was built in 1905 – 1906. The Stone Laying Ceremony of “The New Wesleyan Church”, Acton, took place on Thursday, September 14th 1905 at 3. 0 p.m. and a public tea was held after the ceremony followed by a public meeting. Services have been held there on Sundays ever since. Before the chapel was in existence services were held in the building, which is now the garage of the house – The Gables. The Chapel building is used for meetings in the community and for voting during elections.

Ladycroft has been the home of at least three generations of the Noake family Jonathon and his sisters having been born there. The house Whitfield was added to their property in 1959 for the family's grandmother.

The old thatched cottages just beyond the Chapel sadly burnt down and were replaced by the blue brick houses, The Gables and The Firs, before the First World War. Murchers Lane runs down to the brook between these houses and where Bantry Bay is now, this lane could also have been part of the funeral route. Originally a cottage stood on the site just below Bantry Bay which had been occupied by members of the Fairweather family and more recently by a Mr. and Mrs. Tideswell (Elijah and Sarah). Numbers 1, and 2, Acton, were built after the Second World War around 1947. A well-known local character, Mr. Ben Podmore, who was famous for his fine prize-winning hedge-laying achievements, lived in one of these houses before moving to Butterton.

In the front of the garden of the present house Tresco on the corner of Acton Lane and Wood Lane was a building in which worked a Mr. James Goodall, who was the wheelwright. He lived in one of the cottages further down Wood Lane. At this time it is believed a candlemaker also lived and worked in the village.

Ivy House situated below Tresco in Wood Lane, used to be a two up and two down property built for the Swinnerton estate, using small sized bricks, which had been made at the brick works at Shutlane Head, before being developed into the attractive house it is today. Two more cottages were situated down the hill – one having been occupied by a Mr. Fairbanks. The cobbler Mr. Cartwright also lived in one of these dwellings and locals brought their shoes for repair and clogs to be “tipped” and he had a son who also carried on the trade. In the nineteen fifties these two cottages were converted into one large house now known as “Fairbanks”. At the bottom of the hill is Brook Farm, which was occupied by a Mr. and Mrs. Bill Ward about fifty years ago. Having no electricity supply at that time they used oil lamps and can be remembered lighting their way up to Chapel with their lamps.

Wood Lane continues towards the Swynnerton Forest passing on the bend a murky pool where the unfortunate Mr. Cartwright the cobbler, ended his life by drowning. Opposite this pool is the area allegedly called “Hangman's Corner”, as a gibbet was believed to have been situated in the nearby bridle path. The ill-fated condemned person – having had their last pint at the pub could have been brought to the gallows “on the wagon “ as tradition has it! This lane leads on to Welldale, formerly Welldale Cottage and enters Swynnerton Old Park Forest at Hobgoblins

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/~~NO~~

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: 12/5/2020

