

APPENDIX D

PUBLIC RIGHT OF WAY EVIDENCE FORM

Important Note

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

Name of witness..... MRS SHEILA GRIFFITHS
(Block Capitals please)

Address
(Block Capitals please)

Date of Birth Occupation

Description of way (include grid references if known):- PATH NO 43
From
To
APEDALE RD WOODLANE
APEDALE VALLEY

* Please delete as appropriate

1. How many years have you known the way?

46 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?

APPROX 10 FEET

4. Have you used the above way?

*YES/~~NO~~

If so: (a) During which years?

1949 TO 1994

(b) Where were you going from/to?

APEDALE VALLEY TO WOODLAND

(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

(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.

FROM TIME TO TIME

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.

FROM TIME TO TIME
WAS REMOVED IN MATTER OF DAY

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

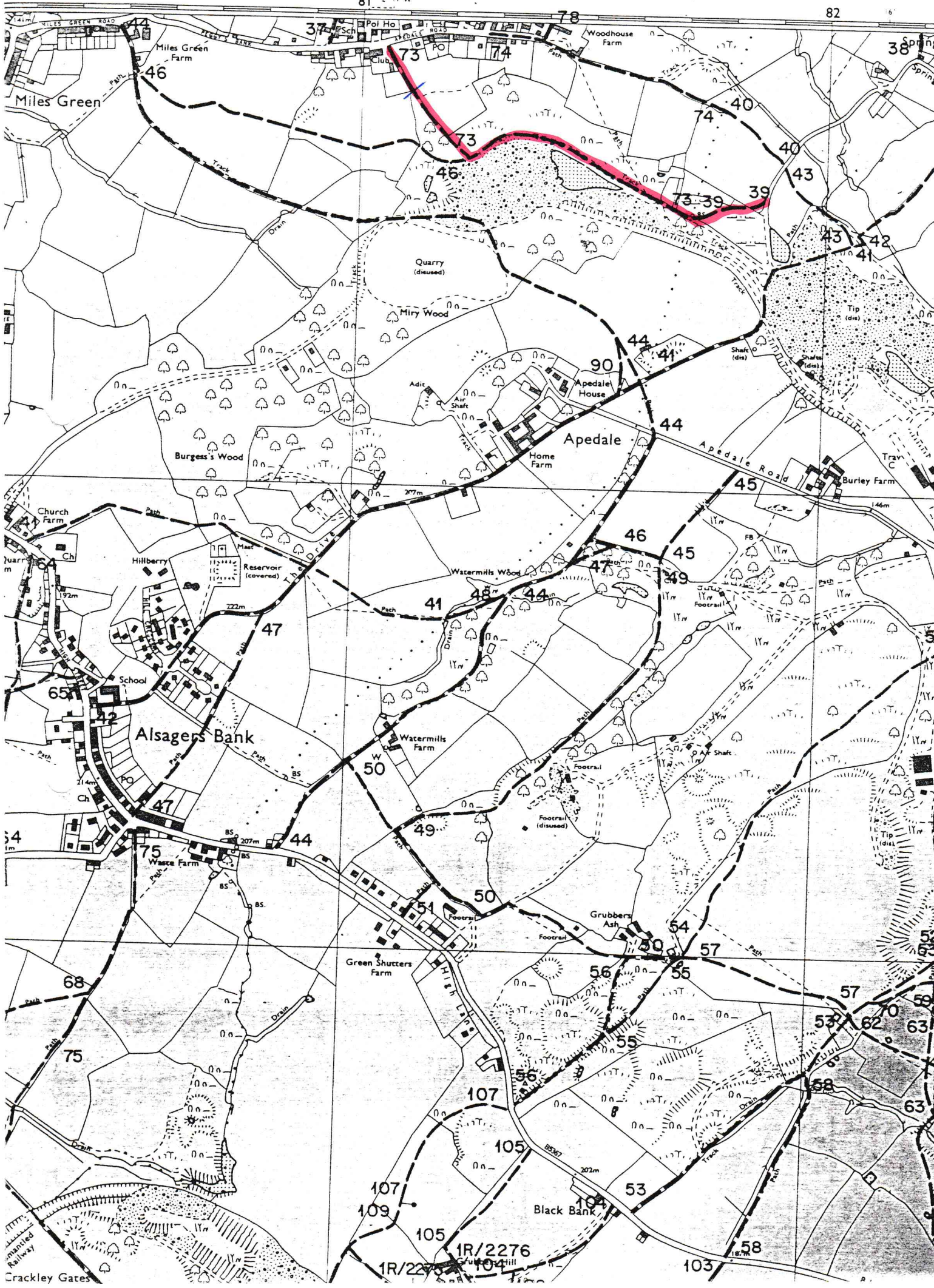
S. Griffiths

Person taking this statement

P. J. Whalley

Date

14-8-94



PUBLIC RIGHT OF WAY EVIDENCE FORM

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Name of witness. PAULINE JOYCE WHALLEY
(Block Capitals please)

Address [REDACTED]
(Block Capitals please)

Date of Birth [REDACTED] Occupation [REDACTED]

Description of way (include grid references if known):- Path NO 73
From APEDALE RD WOODLANE
To APEDALE VALLEY

* Please delete as appropriate

1. How many years have you known the way? Forty 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) OFF ROAD MOTOR BIKE *YES/~~NO~~

3. How wide is the way? APPROX 10 Feet

4. Have you used the above way?

*YES/NO

If so: (a) During which years?

1961 - 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.

APEDALE TO WOODLANE
WOODLANE TO APEDALE.

DAILY / WEEKLY - TWICE DAILY
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.

ON TWO OCCASIONS BUT WERE
REMOVED EITHER OVERNIGHT OR WITHIN
A MATTER OF DAYS

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.

FENCE BUT WAS REMOVED WITHIN A MATTER OF DAYS OR OVERNIGHT

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?

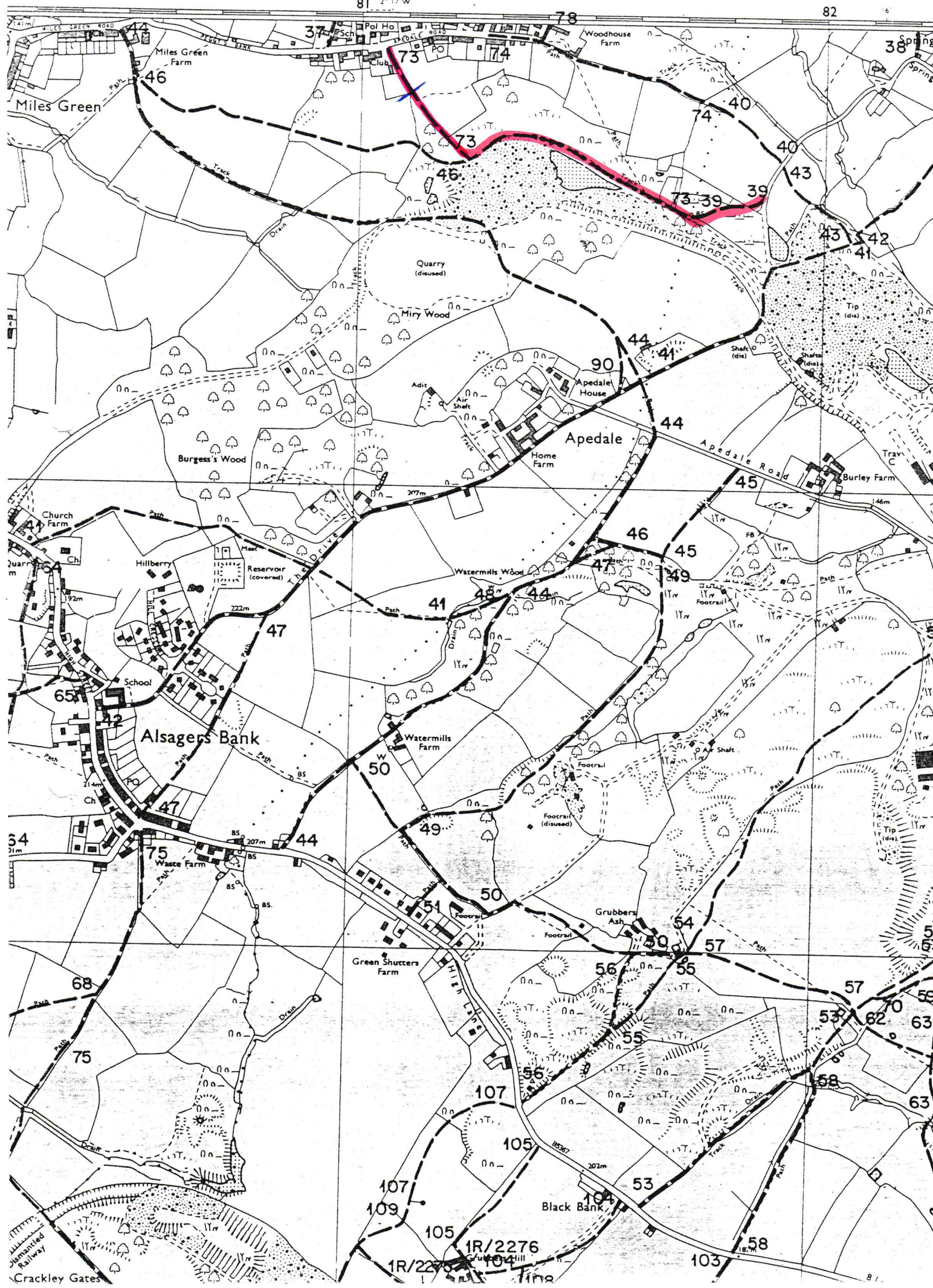
*YES/NO

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

Signature P. J. Whalley

Person taking this statement P. J. Whalley

Date 17/8/94



PUBLIC RIGHT OF WAY EVIDENCE FORM

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Name of witness..... TERENCE HARVEY
(Block Capitals please)

Address
(Block Capitals please)

Date of Birth Occupation

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

From Apedale Road Woodhame
To Apedale Valley

Path 73

* Please delete as appropriate

1. How many years have you known the way?

40 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?

10 ft

4. Have you used the above way?

*YES/NO

If so: (a) During which years?

From 1953 to date

(b) Where were you going from/to?

Apedale Road to Apedale Valley

(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)

Foot, motorcycle, Horse

(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.

*When it was
Open Cast*

Stile removed over night

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

When it was Open Cast

(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.

when it was open last

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?

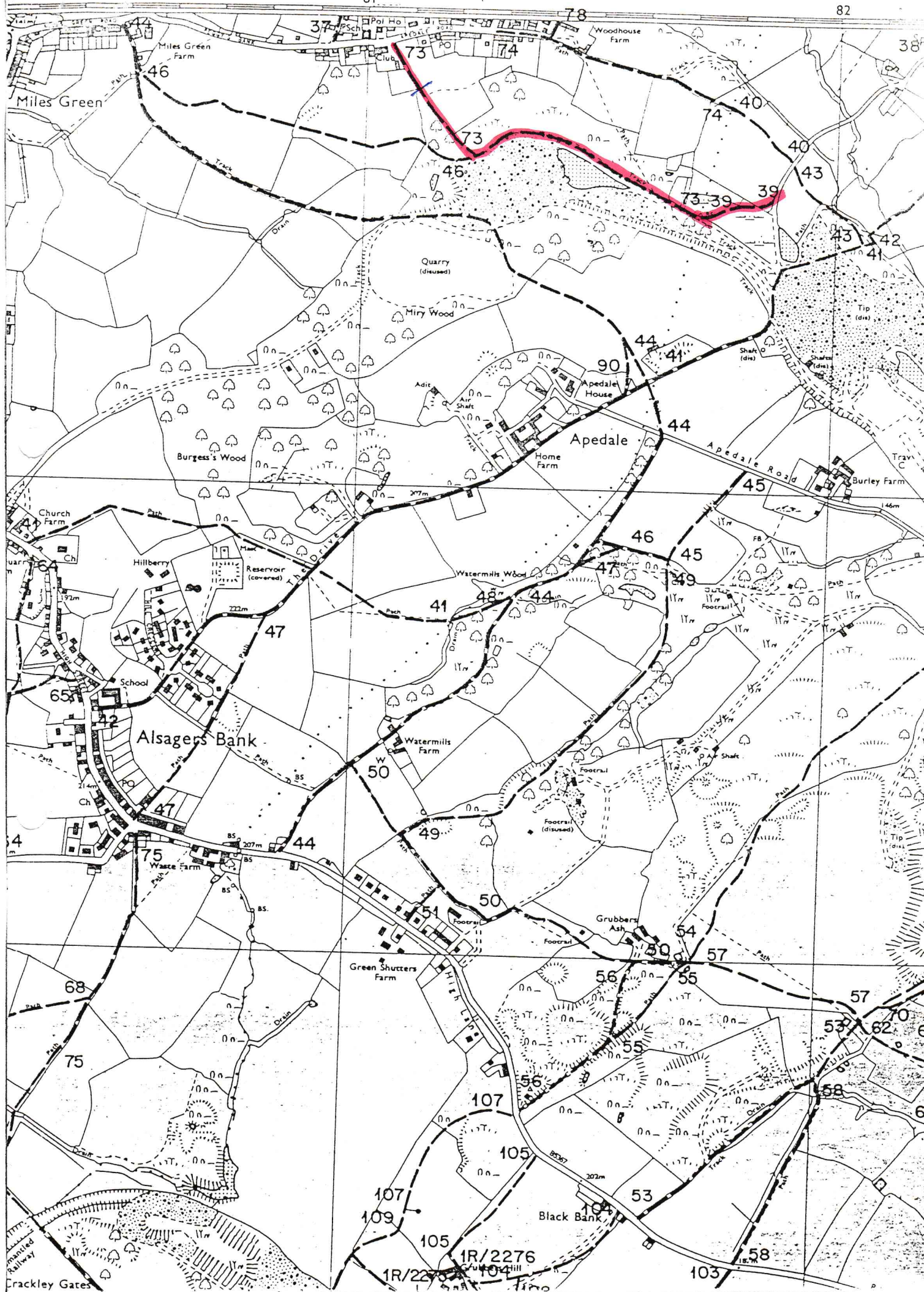
*YES/NO

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

Signature *T. Murray*

Person taking this statement..... *P. J. Whalley*

Date..... *16/10/94*



PUBLIC RIGHT OF WAY EVIDENCE FORM

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Name of witness.....TONY H. TAYLOR.....
(Block Capitals please)

Address
(Block Capitals please)

Date of Birth Occupation.....

Description of way (include grid references if known):- Path No 73.
From Apevale Rd. Woodlane
To Apevale Valley

* Please delete as appropriate

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

Approx: 10 Feet

4. Have you used the above way?

*YES/~~NO~~

If so: (a) During which years?

1976 - 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.

Woodlane to Valley - Valley to
Pleasure, Woodlane
Weekday
Horse Back

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 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 and belief, the facts I have stated are true.

Signature ... *T.M. Taylor*

Person taking this statement ... *P. J. Whalley*

Date ... *11-8-94*

