

# 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..... JOANNE CLARE WHALLEY.....  
(Block Capitals please)

Address .....  
(Block Capitals please)

Date of Birth ..... Occupation .....

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

From APEDALE RD WOOD LANE PATH NO 73  
To APEDALE WALLEY

\* Please delete as appropriate

1. How many years have you known the way?

18 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 WIDE

4. Have you used the above way?

\*YES/NO

If so: (a) During which years?

1976 - 1994

(b) Where were you going from/to?

WOOD LANE - APEDALE - APEDALE

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

PLEASURE

TO WOODLANE

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

SEVERAL TIMES A WEEK

(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.

YES

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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.

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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.

BUT WERE REMOVED OVERNIGHT

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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?

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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

BUT WAS REMOVED DURING NIGHT

(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?

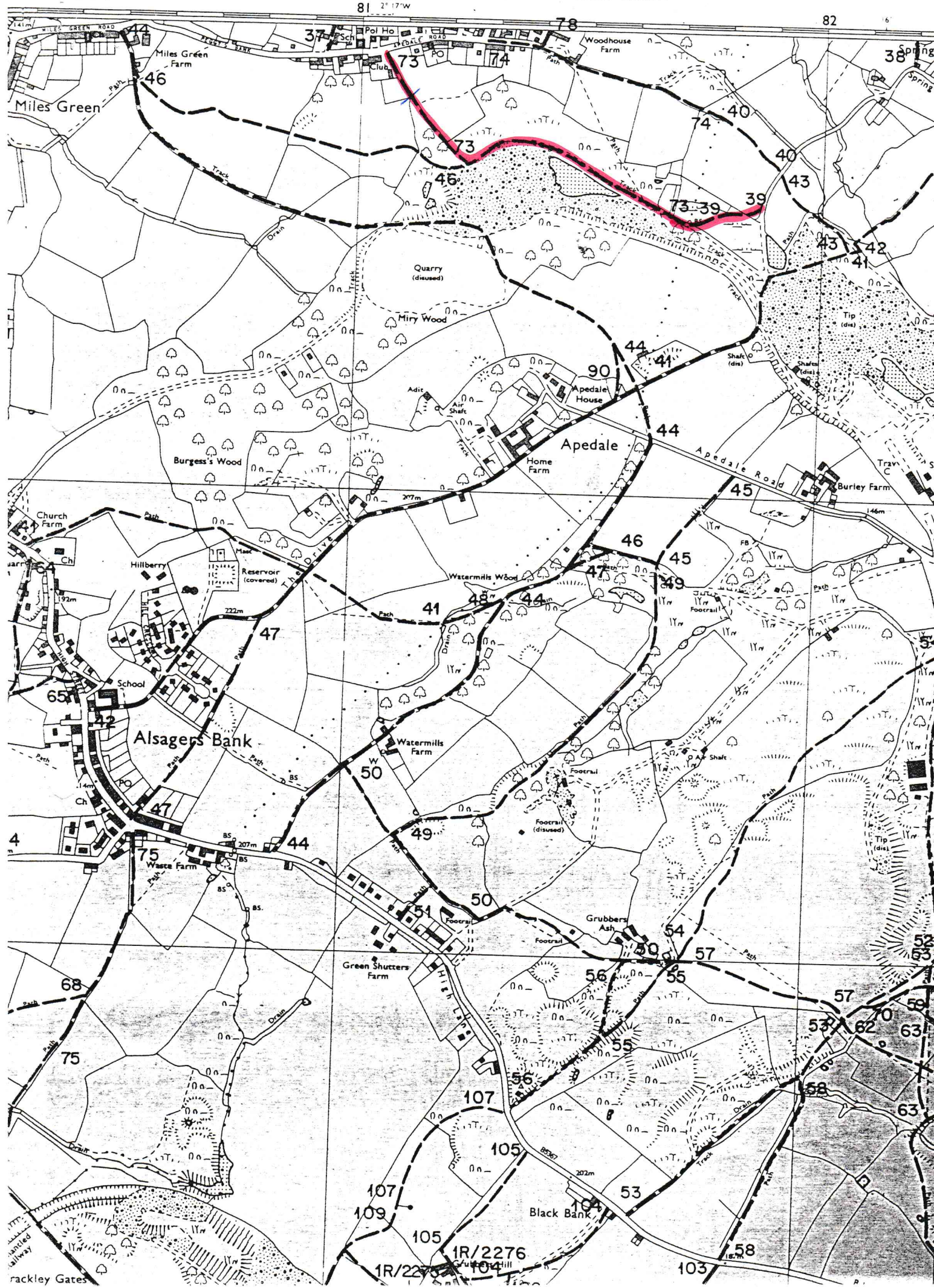
\*YES/NO

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

Signature ..... J.C. Whalley

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

Date .....



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Name of witness... MARGARET CONDLIFF  
(Block Capitals please)

Address .....  
(Block Capitals please)

Date of Birth ..... Occupation .....

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

From APEDALE RD WOOD LANE  
To APEDALE VALLEY

PATH 73

\* Please delete as appropriate

1. How many years have you known the way?

35 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?

APPROX 10 FT WIDE

4. Have you used the above way?

\*YES/NO

If so: (a) During which years?

1959 - 1994

(b) Where were you going from/to?

APEDALE WALLEY - WOOD LANE

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

PLEASURE

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

WEEKLY/MONTHLY

(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.

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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?

WERE REMOVED OVERNIGHT

\*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~~

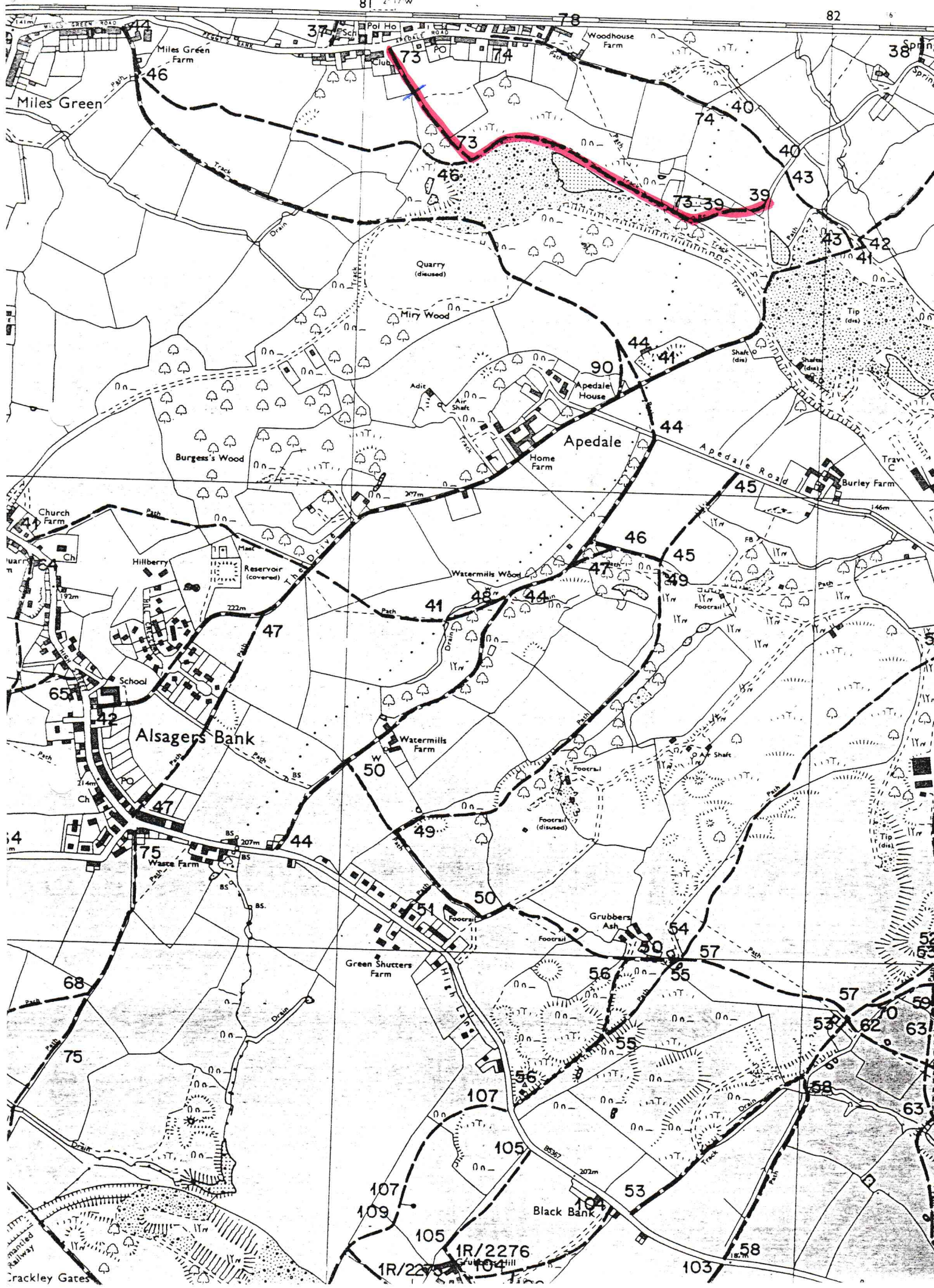
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I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature ..... *M. Condelliffe* .....

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

Date ..... *12-8-1994* .....



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Name of witness..... RENATE FARDLEY.....  
(Block Capitals please)

Address .....  
(Block Capitals please) .....

Date of Birth ..... Occupation .....

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?

34 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?

4. Have you used the above way?

\*YES/~~NO~~

If so: (a) During which years?

1960 to 1994.

- (b) Where were you going from/to? FROM KNUTTON TO WOODLANE. FROM  
(c) For what purpose? (eg work, pleasure) WOODLANE TO HAMMEREND ETC.  
(d) How many times a year? (eg daily) PLEASURE. SEVERAL TIMES A WEEK.  
(e) By what means? (eg on HORSE BACK.  
foot, horseback,  
motor vehicle etc)  
(f) Please show the route of  
the way used on the  
attached plan.

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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

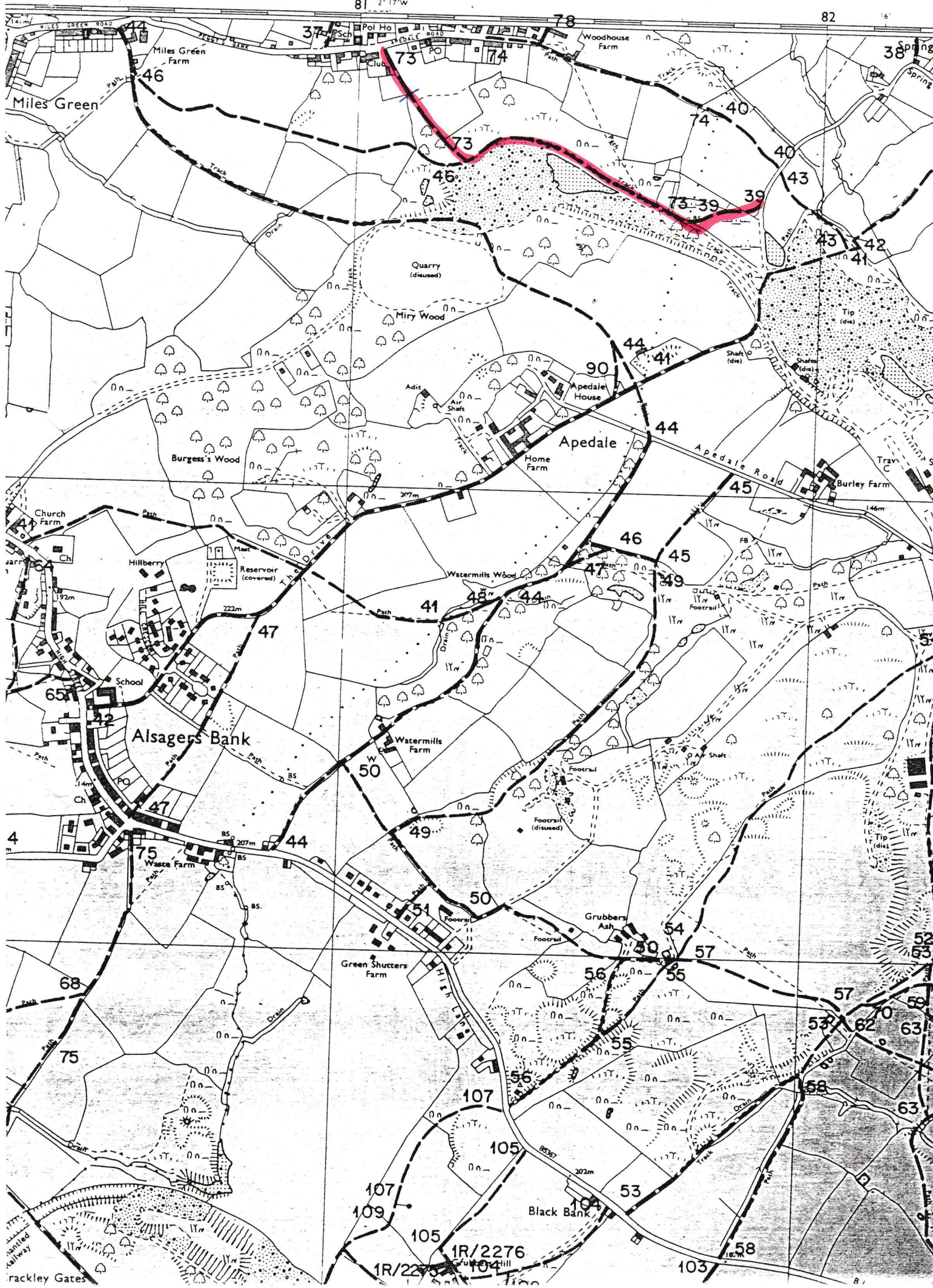
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I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature ..... *R. J. Whalley* .....

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

Date..... *9th Aug. 1994* .....



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Name of witness..... Miss Susan Mountford  
(Block Capitals please)

Address.....  
(Block Capitals please)

Date of Birth..... Occupation.....

Description of way (include grid references if known):- PATH NO 73  
From APEDALE ROAD WOODHALL  
To APEDALE VALLEY

\* Please delete as appropriate

1. How many years have you known the way?

30 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?

10 ft Approx

4. Have you used the above way?

\*YES/~~NO~~

If so: (a) During which years?

(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.

1964 - 1994.

APEDALE VALLEY TO WOOD LANE / ROUTE  
PLEASURE  
SEVERAL TIMES A WEEK  
HORSEBACK.

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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

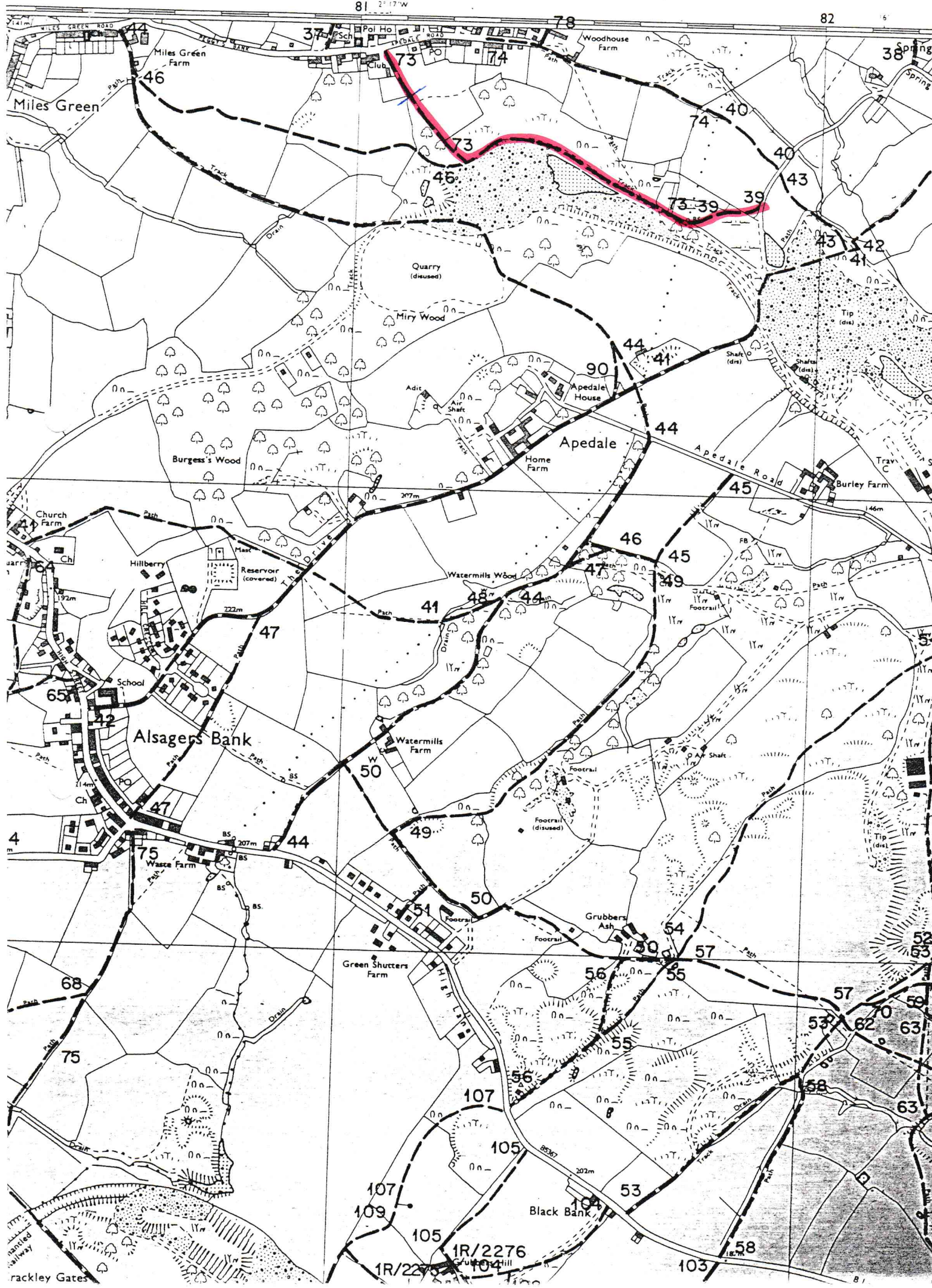
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I certify that, to the best of my knowledge and belief, the facts I have stated are true.

Signature ..... *S. Mantland* .....

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

Date... *17 August* .....



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Name of witness..... MRS CHRISTINE AMES .....  
(Block Capitals please)

Address .....  
(Block Capitals please)

Date of Birth ..... Occupation.....

Description of way (include grid references if known):-  
From APEDALE WOOD LANE PATH N° 73  
To APEDALE VALLEY

\* Please delete as appropriate

1. How many years have you known the way?

36

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?

1960 - 1968

1980 - 1994

(b) Where were you going from/to?

WOOD LAKE - APEDALE VALLEY RETURN

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

PLEASURE.

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

WEEKLY

(e) By what means? (eg on

HORSEBACK

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 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 ..... *C. J. Whalley* .....

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

Date ..... *16.8.94* .....

