

SOMERSET COUNTY COUNCIL

WILDLIFE & COUNTRYSIDE ACT 1981

PUBLIC RIGHTS OF WAY USER EVIDENCE FORM

NB: The object of this enquiry is to reach the truth of the matter, whatever it may be. You are therefore asked to answer the questions as fully as possible and not to 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 way. The information you give will eventually become public and may be used as evidence at a public inquiry.

FULL NAME..... AGE.....

ADDRESS.....

TEL (DAY)..... TEL (EVE)..... FAX..... EMAIL.....

OCCUPATION.....

PATH LOCATION DETAILS: DISTRICT : MENDIP PARISH :

CLAIMED STATUS OF WAY: FOOTPATH / BRIDLEWAY / BYWAY OPEN TO ALL TRAFFIC (delete as appropriate)

DESCRIPTION OF PATH (include sketch map if possible)

FROM

TO

1. Do you believe the above way to be public? YES / NO (delete as appropriate) If yes:-

a) Upon what information do you base your belief?.....

b) For how many years have you believed the way to be public?.....

2. Have you used the above way? YES / NO (delete as appropriate) If yes:-

a) During which years?

b) How many times a year?.....

c) Where were you going to and from?.....

d) For what purpose? (eg pleasure, work, shopping, visiting etc).....

e) By what means? (eg. On foot, on horseback, bicycle, in a cart or vehicle).....

3. To your knowledge have there been any of the following on the way :-

a) Stiles? (state location).....

b) Gates? (state location and whether locked).....

c) Notices? (state location and what did they say).....

d) Other obstructions? (state location and type).....

4. Did you work for any owner or occupier of land crossed by the way at the time of your use?.....

a) Give particulars of dates.....

b) Did the owner or occupier ever give you instructions as to the use of the way by the public, if so what were they?.....

5. **Have you ever been a tenant of the owner of any of the land crossed by the way? YES / NO**
 If yes give a) particulars of dates.....
 b) Say whether the owner ever gave you instructions as to the use of the way by the public and if so what those instructions were:-

6. **Are you, or were you related to the owner of any land crossed by the way? YES / NO**
 a) If yes, give details.....
7. **Have you ever obtained permission to use the route? YES / NO**
 a) If yes - From whom..... When.....
8. **Have you ever been stopped or turned back when using the way, or do you know of anyone else having been prevented from using it? YES / NO If yes :-**
 a) Give dates and particulars.....
9. **Has anyone told you the route is not public YES / NO If yes :-**
 a) Give dates and particulars.....
10. **Were you ever told by an owner or tenant of the land crossed by the way, or anyone in their employment that it was not public? YES / NO If yes :-**
 a) Give dates and particulars.....
11. **Do you believe the owner or occupier was aware of the public using the way? YES / NO**
 a) If yes :- Say why.....
12. **Have you ever seen notices such as "Private" "No road" "No Thoroughfare" "Trespassers will be prosecuted" "This is not a right of way" on the way? YES / NO If yes :-**
 Give dates and particulars.....
13. **Have you ever enjoyed a private right along the route in question? YES / NO**
14. **Has the way always run over the same route or has it been diverted at any time? YES / NO**
 a) If diverted give dates and details.....
15. **Please give any additional information you may have**

DECLARATION

I am / am not willing to attend a hearing, public inquiry or court to give evidence on this matter, should this prove to be necessary.

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

SIGNED..... DATE.....