



PUBLIC RIGHTS OF WAY USER EVIDENCE FORM

PLEASE READ THE NOTES ON THE BACK PAGE BEFORE COMPLETING THIS FORM. USE BLACK OR BLUE INK, NOT PENCIL.

** delete as appropriate*

1. DETAILS OF USER

Full Name: Date of birth:

Age: Tel no. (day)

Occupation Tel no. (eve)

Address.....

..... Post Code

You may be requested to give evidence at a Public Inquiry in support of this alleged public way should this prove necessary. Would you would be willing to do so? Yes/No*

2. PATH DETAILS:

Believed Status of Path: footpath / bridleway / restricted byway / byway open to all traffic*

Description of Path:

From :

To:

Indicate the route clearly and precisely on a map attached to this form. Please use a coloured pen. This map must be signed by you to confirm that you have seen and understood it.

3. USE OF THE ROUTE

- a). Have you personally used the route? Yes/No*
- b). Where were you going to and from?
- c). For what purpose? [e.g. pleasure walk, horseriding, visit friends, short-cut, etc]
- d). How many times a year?.....

e). When did you last use it?.....

f). Have you always followed the same route? Yes/No*
If 'no', state the year the route you changed and why

g). Has your use of the way ever been in exercise of some private right? Yes/No*
If 'yes', please give details including specific years/dates during which you used it as a private right.

h). Are you aware of any other information such as photographs or documentary evidence that you think will support the claim? Yes/No*
If 'yes', give details.

i). When you used the route did you live adjacent to it? Yes/No*
If 'yes', was it the only means of access to the property? Yes/No*

j). Please complete the boxes below to show during which years you used the route as a public right of way and by what means you used it.

Mode of Transport	From (year)	To (year)
On foot		
On horseback		
On a pedal cycle		
With a non-motorised vehicle		
With a motorised vehicle		

i). Did you see anyone else using the path, and if so, by what means?
.....

j). Do you believe the owner or occupier was aware the public was using the way?
Yes/No*. If 'yes', why?

4. DETAILS OF THE ROUTE

a). Approximately how wide is the way at its narrowest point?

b) Are there, or have there previously been, any stiles or openable gates on the way?
Yes/No*. If 'yes', state where, and mark on the attached map

5. OBSTRUCTIONS AND NOTICES

a). Have you ever known of any locked gates or other obstructions preventing use of the way? Yes/No* If 'yes', give details & dates, and mark the positions on the map.

.....
.....

b). Have you ever been stopped or turned back by someone when using the way? Yes/No*

If 'yes', state when and by whom and where this took place, and give particulars.

.....
.....

c). Are you aware of anyone else having been stopped or prevented from using the way? Yes/No* If 'yes', give particulars, including dates:

.....
.....

d). Have you ever seen notices on or near the way? Yes/No*

If 'yes', when and where did you see these notices (mark on the map) and what did they say?

.....
.....

6 PERMISSIVE USE

a) Were you working for any owner or occupier of land crossed by the way at the time when you used it, or were you then a tenant of any such owner? Yes/No*

If 'yes':

(i) Give particulars and dates

(ii) Has the owner or occupier ever given you instructions as to the use of the way by the public? Yes/No*

If 'yes', what were the instructions, and when were they given?

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

b) Have you ever obtained permission to use the route? Yes/No*

If 'yes', from whom?

When?

USER EVIDENCE FORM - NOTES

- 1 This form should be personally completed by the person who has used the route.
- 2 All questions should be answered.
- 3 Council staff may request to speak to witnesses in order to clarify or verify information.
- 4 The details contained in this form may be used as evidence in future proceedings, and it is helpful if the witness is prepared to support the information by being willing to attend to give verbal evidence at a local Public Inquiry should one be called. However this is not compulsory.
- 5 A map clearly showing the route of the alleged way must be attached to this form. The map must be signed by the witness to confirm that it has been seen and understood.
- 6 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 claim. This is important if the information is to be of real value in establishing the status of the way.
- 9 The completed form may be used in the production of a report to go to the Director of Development and as such would be designated a "background paper" and kept available for public inspection for a period of four years. Also the information contained in this form may be divulged to persons having a right to request details of documentary evidence taken into account when considering the claim, although personal details may be withheld in the early stages of the process.
- 11 Any maps supplied may not be used for any other purpose than submission of evidence, and any unused forms and maps should be returned to the person who issued them so that they may be returned to the Council.
- 12 Please attach a separate sheet with further information if there is insufficient space on the form for your answers.
- 13 Regarding question 2, the definitions are as follows:
Footpath: a right of way on foot.
Bridleway: a right of way on foot, on horseback, leading a horse, and on a bicycle. In some cases there is a right to lead and drive other animals.
Restricted byway: as for bridleways, plus a right to use non-motorised vehicles.
Byway open to all traffic: as for restricted byways, plus a right to lead and drive other animals and use motorised vehicles.
- 14 If you have any queries please call 01437 764551 and ask to speak to one of the public rights of way legal team. The completed form should be handed to the person who issued it, or sent to the Definitive Map Officer, Development Department, County Hall, Haverfordwest, Pembrokeshire SA61 1TP.

This page may be detached before returning the completed form.