

For official use only
Ref:

Public Right of Way User Evidence Form

This form 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. Or if an application has already been submitted then you may be requested to return this completed form direct to Newcastle City Council (to the address given below).

This form is intended to provide evidence about the application. 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.

This form 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). When Newcastle City Council commences detailed research, an officer may contact you to seek further information or ask you to be informally interviewed about your evidence.

If the Council proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. At a public inquiry your evidence will be made available to the inquiry and may be examined. An inquiry 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 Council will help you with the procedure.

This form 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 form, and signed and dated. If you are unable to complete the form without assistance please ensure that the person completing on your behalf adds their details the Statement of Truth (overleaf).

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

Please print your name here

Address.....

.....

.....

.....Postcode

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details of locations and years [full addresses are not required]

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Year of birth

Telephone numbers

Email address

General Data Protection Regulation - your personal information and confidentiality

The information you give in this form will be processed in accordance with the General Data Protection Regulation. It is held by the Council's Public Rights of Way Officer for the sole purpose of processing the application for the route referred to. In order to decide if a public right of way exists it may be necessary to disclose information received from you including your name and address to others which may include the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. The information provided on this statement cannot be treated as confidential (apart from your telephone number/s, email address/es and signature which we do not disclose). You should provide us with the information requested only if you are happy for it to be placed in the public domain. Do not include information about another person.

By signing this form, you are acknowledging that the information you have provided, as described above, may be made publicly available. Please note that it will only be used for the purpose of determining the status of the route you have referred to. Further information is available on the Privacy Notice on the Council's website: www.newcastle.gov.uk

Statement of Truth

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS FORM / STATEMENT ARE TRUE AND I HAVE READ THE DECLARATION ABOVE

Signature (of the person making the statement of truth):

.....

Print full name:

Date:

(If applicable) Signature of person completing this form on your behalf:

.....

Print full name:

Date:

You should keep a copy of the completed form

Important Note: 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.

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About the application route

1. Is the application route:

A footpath (public rights on foot only)

A bridleway (public rights on foot and on horseback or bicycle)

A restricted byway (public rights on foot, on horseback or any non-motorised vehicle)

A byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route (include start and finish points and provide OS grid references if you can)

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Map of the application route

Please attach an extract from a map of your choice (1:2500 scale if possible) and identify the exact route you are providing evidence about (draw the route on the map so it is obvious). Please annotate the map with anything you provide details about in this form, for example, the location of a gate or sign. Please put your initials on your map and date it. **Please do not add your full signature.**

3. Why do you regard this way as public?

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Your use of the application route

4. In which years did you use the application route?

From To

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

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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. Where were you going, and for what purpose?

.....

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

Yes

No

If no – how and when was the route altered?

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-
9. Approximately how wide is the application route?
[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']

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10. What type of surface does the application route have? (for example grass, gravel, earth)
[Are there any changes along its length]

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11. Have there ever been any of the following on the application route?

Stiles [state locations and show on your map]

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How long were they in place?

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Gates [state locations, indicate whether locked – and when – and show on your map]

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Other barriers [state what they were and location, how long they were in place and show on your map]

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12. Did any of the above prevent you from using the application route?

No

Yes

If yes, please give details

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13. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", "No Right of Way" "Trespassers will be Prosecuted")

No

Yes

If yes – state when and give details, including when they were present and mark their location on your map

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14. Have you seen other people using the application route whilst you have been using it?

No

Yes

If yes, please provide any additional information about this

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Land Ownership

15. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No

Yes

16. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No

Yes

17. 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)?

No

Yes

18. Have you ever been stopped or turned back when using the application route?

No

Yes

If yes, by whom and when?

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.....

19. Has anyone else ever told you that they were prevented from using the application route?

No

Yes

If yes, please give details including when this happened

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20. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

No

Yes

If yes, please give full details, including who gave the permission, why and when

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Other Information

21. 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)

No

Yes

If yes – please provide details

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22. 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 additional sketch map or drawings, please do so and attach to this statement]

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23. During the investigation an officer from the Newcastle City Council may want to talk to or informally interview some or all of the users in order to gather additional information. Would you be willing to provide further information about your knowledge of the application route?

- Yes
- No

24. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

- Yes
- No

Please make sure you have completed your contact details on pages i, and read the Data Protection information and signed the Statement of Truth on page ii.

Please remember to enclose a map showing the precise line of the route used.

This completed form plus any supporting evidence should either be returned to the person making the application, or if requested (if an application has already been submitted) direct to:

**Public Rights of Way
Place Directorate – Transport
Newcastle City Council
10th Floor, Civic Centre
Barras Bridge
Newcastle upon Tyne
NE1 1QH
Email: prow@newcastle.gov.uk**

Thank you for taking the time to complete this form.