ESSEX COUNTY COUNCIL

PUBLIC RIGHTS OF WAY EVIDENCE FORM

FULL NAME OF WITNESS MR/MRS/MISS/MS...............................................................................……

ADDRESS................................................................................................................................................

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

........…................................................................................................. TEL NO .................…………….

DATE OF BIRTH ........................................... OCCUPATION ..............................................................

DESCRIPTION OF WAY (which I have marked by a thin red line on the attached plan)

FROM ............................................................................................................................................

 .......................................................................................................................................….

TO ........................................................................................................................................…

 .......................................................................................................................................….

IMPORTANT

If your use of the way is especially relevant to the claim an Officer of Essex County Council will

contact you in order to take a more detailed statement from you.

PLEASE BE AS PRECISE AS POSSIBLE

WARNING

PLEASE TAKE THE TIME TO ANSWER THE QUESTIONS CAREFULLY AND IN FULL.

If it becomes apparent that a witness has kept back any information, the value of that

witness’s evidence may be questioned. This may cause the witness’s case to fail. Incomplete

evidence can result in the holding of unnecessary public inquiries and the waste of YOUR

public money.

PLEASE NOTE that this form will be open to the public, including the owners of the way and

that by completing and signing it you are agreeing to this.

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that by completing and signing it you are agreeing to this.

1. Have you used the above way?

If you used only part of the way, please

mark the part which you used on the

plan.

a) For what purpose? (e.g. pleasure,

to school/work)

b) Where were you going (to and

from)?

Please do not use vague terms such

as `frequently’.

c) During which years did you use the

way?

d) How many times a year ? - please

be as precise as you can. Was it

seasonal?

(IF DIFFERENT USE AT DIFFERENT

PERIODS, PLEASE GIVE

APPROXIMATE DATES OF

VARIOUS USE)

e) By what means (i.e. foot, horse,

pedal cycle, cart, motor cycle,

motor)

f) Is the way, or was it, a short cut for

you? If so why?

2. When using the path where did you

live? If different places for different

periods please give dates - in years.

3. If you rode a horse

i) where did you stable/keep it and

ride it from?

Please give dates in years.

ii) at what time of day was it your

custom to ride?

Please be as precise as possible.

4. If you were riding, did you ever use

the way with the hunt?

5. Have you ever been given permission

(whether or not you actually asked for

it) to use the way? If so by whom and

to do what?

6. When you used it, was there

always a clearly defined track or

path which could be followed by a

stranger?

7. Has the way always run over the

same route? If it has altered, give

details and dates

PLEASE MARK ANY CHANGES WHICH

YOU EXPERIENCED ON THE PLAN

8. Did you;

(a) Keep to the path claimed?

(b) wander freely between start

and finish?

PLEASE ANSWER WITH EITHER (a) OR (b)

9. To your knowledge, have there

been on the way any stiles or

gates?

 If so, where were they and when

did you see them?

PLEASE MARK THE PLAN TO SHOW

WHERE THEY WERE/ARE.

10. If gates, were any ever locked? If

so, say where and when, and by

whom.

PLEASE MARK THEM ON THE PLAN.

11. Do you remember any direction or

finger posts on or near the way?

If so, where and when, and what

did they say?

PLEASE MARK THEM ON THE PLAN.

12. Do you remember any other

notices or signs on or near the

way? If so what did they say?

Where and when did you see

them?

PLEASE MARK THE PLAN TO SHOW

WHERE THEY WERE/ARE.

13. If you have ever been an owner or

tenant of land crossed by the way

or a worker for him or her, please

give names and dates. If not,

write “NO”.

14. If you were a tenant or employee,

did you receive any instructions as

to the use of the way by the

public, if so, what were they?

15. If you were an owner or tenant,

did you recognise that the way

was a public right of way?

16. Was a close relative of yours (e.g.

spouse or parent) working for a

tenant or landowner fronting the

way?

17. Did you ever encounter any

obstructions not already described

(in 10 above)?

18. Have you ever been stopped or

turned back or do you know if this

has happened to anyone else? If

so, please say how, where, and

when this was, and by whom.

19. Have you seen other people using

the way in the same manner as

yourself? Were they your

companions? If so, how many

were there and when was it?

Please give what details you can.

20. If you were riding or walking have

you ever seen anyone driving

motor or horse-drawn vehicles? If

so, what did you see and how

often?

21. If you ever did so, when did you

last drive, or were a passenger in,

a vehicle which used the way?

What type of vehicle was it?

22.(a) Did you recognise any people

using the way as owners or

tenants of land next to it? If so,

who?

 (b) If you can, please provide the

name and address of any owners

or tenants of the land next to the

way.

23. If you have ceased using the way,

please say why.

24. If you wish to give further

particulars, please do so here, or

continue on a separate sheet.

25. If someone wrote down your

answers on this form for you,

please give his/her name and

address.

26. IMPORTANT! STRIKE OUT WORDS TO ANSWER THIS!

I AM/AM NOT WILLING TO ATTEND A PUBLIC INQUIRY

TO STAND BY WHAT I HAVE WRITTEN

AND TO ANSWER QUESTIONS THERE SHOULD THIS BE NECESSARY.

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

true.

Signature.................................................................. Date .........................................................

(Print name) .............................................................

Please return this form to the person preparing the application

who should then send it, with the necessary application forms, to:

Essex Legal Services, Essex County Council, County Hall, Chelmsford, CM1 1LX