

Public Right of Way User Evidence Statement

User number:

For official use only

This statement 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.

This statement is intended to provide preliminary evidence about the application. When Dorset Council commences detailed research, an officer may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application (the "application route") is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

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. The information given may be examined at a public inquiry.

This statement 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 statement and signed and dated. If you are unable to complete the form without assistance please ensure that the person taking your statement also signs the Statement of Truth (overleaf).

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

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential.

- It may be necessary for the Council to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the Council proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This 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.
- The information you give in this statement will be processed in accordance with the General Data Protection Regulation 2016. It is held by the Council's Definitive Map Team for the sole purpose of processing the application for the route referred to.

Please print your name here

The following personal contact details will be redacted and will not be released by Dorset Council.

Your address.....

 **Post code**

The information on this page will be redacted and not be made publicly available

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

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Year of birth.....

Home Telephone Number

Mobile Telephone Number

Email Address

DECLARATION

General Data Protection Regulation 2016

Under the General Data Protection Regulation 2016 Dorset Council has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details). 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.

This statement and the details contained therein will be considered by Dorset Council to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publicly available and published on Dorset Council's website.

Please tick this box to acknowledge that you have read and understood this Data Protection information

Statement of Truth
(all witnesses must complete this Statement)

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

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

.....

(If applicable) Signature of person taking this statement:

.....

Print full name:

Date:

Warning: 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.
You should keep a copy of the completed statement

The information on this page will be redacted and not be made publicly available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

User number:

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ABOUT THE APPLICATION ROUTE

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)

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 route you are providing evidence about. Please annotate the map with anything you provide details about in this statement, for example, the location of a gate, then **sign and date it**.

PLEASE ATTACH A MAP SHOWING THE PRECISE LINE OF THE ROUTE USED AND SIGN IT

YOUR USE OF THE APPLICATION ROUTE

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

From To

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

.....

3. How did you use the application route, how often and during which periods? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)	Between which years?
On foot							
On horseback							
By pedal cycle							
By car							
Other [please specify]							

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

- Yes
- Don't know
- No

If no – how and when was the route altered?

.....

PLEASE ATTACH A MAP SHOWING THE PRECISE LINE OF THE ROUTE USED AND SIGN IT

5. Approximately how wide is the application route?
[Please give your estimate of the width of the route used, including the width used when passing others or walking with others. Take care to consider the overall width of the route, e.g. are there adjacent fences and hedges? If the width varies, please describe how and where and state if it has always been this width [Or please state 'Don't know']

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

a. Stiles [state locations and show on your map]

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How long were they in place?

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

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

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PLEASE ATTACH A MAP SHOWING THE PRECISE LINE OF THE ROUTE USED AND SIGN IT

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

No

Yes

If yes, please give details

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9. 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

Don't know

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

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10. 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

11. 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

PLEASE ATTACH A MAP SHOWING THE PRECISE LINE OF THE ROUTE USED AND SIGN IT

If yes, provide details and dates

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

- No
- Yes

If yes,

a. From whom?

b. When?

13. 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

If yes, by whom and when?

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

- No
- Yes

If yes, please give details including when this happened

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

- No
- Yes

PLEASE ATTACH A MAP SHOWING THE PRECISE LINE OF THE ROUTE USED AND SIGN IT

If yes, please give details including when this happened

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16. 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

17. 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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18. 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 and sign and date it please.]
[If you wish to provide a separate sketch map, please do so and attach to this statement]

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PLEASE ATTACH A MAP SHOWING THE PRECISE LINE OF THE ROUTE USED AND SIGN IT

19. During the investigation an Officer from Dorset Council may want to talk to 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

20. 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 page i and read the Data Protection information and signed the Statement of Truth on page ii.)

Categories of Rights of Way:

Footpath: A highway over which the public have a right on foot only, other than such a highway at the side of a public road.

Bridleway: A highway over which the public have a right of way on foot, pedal cycle and on horseback or leading a horse, with or without a right to drive animals of any description along the highway.

Restricted Byway: A highway over which the public have a right of way on foot, pedal cycle, on horseback or leading a horse, and using any vehicle other than a mechanically propelled vehicle (i.e. excludes using any motorised vehicle).

Byway (BOAT): A byway open to all traffic is a highway over which the public have a right of way for vehicular and all other kind of traffic, but which is used mainly as a footpath or bridleway.

Carriageway: A way over which the public have a right of way for the passage of vehicles (other than a cycle track).

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