



## SHROPSHIRE COUNCIL

### OUTDOOR RECREATION

#### RIGHTS OF WAY EVIDENCE STATEMENT

*(This statement form is available in large print if required. Please telephone 01743 255056.)*

**\*IMPORTANT\* - PLEASE READ BEFORE COMPLETING THE STATEMENT**

*The object of this evidence statement is to help to establish whether a public right of way exists or whether the status/line of an existing public right of way needs amending. It is important that witnesses answer all questions as accurately and as fully as possible. This is of special importance as the information you give may be examined at a Public Inquiry.*

STATEMENT BY:-

*(full name including title e.g. Mr/Mrs)*

ADDRESS:-

*(including postcode)*

DAYTIME TEL NO:-

*(including STD code)*

DATE OF BIRTH:-

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Please answer the following questions about the route:-

1. Describe where the route runs from and to and attach a map or plan clearly showing the line of the route referred to in this statement:-
  
  
  
  
  
  
  
  
  
  
2. Do you believe this route to be a public :- *(circle as appropriate)*
  - a) **Footpath (FP)**  
*(a public right of way on foot only)*
  
  - b) **Bridleway (BW)**  
*(a public right of way on foot, on horseback and bicycle)*
  
  - c) **Restricted Byway (RB)**  
*(a public right of way on foot, horseback, bicycle and non motorised vehicle)*
  
  - d) **Byway Open to All Traffic (BOAT)**  
*(a right of way for vehicular traffic but one which is used mainly as a FP or BW)*

If you know it, please state the Definitive Map reference number of the route:-

3. During which years have you used this route?  
*(Please be as accurate as possible about dates as the number of years is important evidence e.g. from 1970 - 1986.)*
4. When using this route, where are/were you going from and to?
5. For what purpose do/did you use this route?  
*(e.g. for pleasure, business, work, visiting etc.)*
6. How many times a year do/did you use this route?  
*(if you cannot be exact please estimate.)*
7. By what means do/did you use this route?  
*(e.g. on foot, on horseback, on a bicycle, with a vehicle etc.)*
8. Have you seen other people using this route? If so, by what means?
9. Has the way always run along the same route, or has it, or part of it, ever followed a different line?
10. If the line of the route has been changed, please mark the alternative route(s) used on your attached map or plan and describe the alteration(s) below. If you know when any changes were made to the route, please give dates.

11. Please mark the location of any of the following on your attached map or plan and give any further details below:-
  - a) Stiles
  - b) Gates (*state if locked or difficult to open/close*)
  - c) Notices (*what do they say?*)
  - d) Any other obstructions (*state nature*)
12. Have you ever been the tenant/occupier/owner of the land crossed by the route?
13. If so,
  - a) please give dates when you had an interest in the land.
  - b) have you ever given anyone permission to use this route? If so, please give details.
  - c) If tenant/occupier, state whether the owner ever gave you instructions as to the use of the way by the public and, if so, what those instructions were.
14. Have you ever obtained permission to use this route? If so, who gave you this permission?
15. Have you ever been told by anyone claiming to be the owner or tenant of the land crossed by the route, or by anyone working for the owner or tenant that the way was not public? If so, state when and give details.
16. Have you ever been stopped from using this route? If so, please give details.

17. To your knowledge, has a local authority ever maintained or repaired this route? If so, please give details.
18. Please give any other information you think might be important concerning the use of the route.  
*(continue onto another sheet if necessary)*
19. Do you know the owner of the land crossed by this route? If so, please give name and address.
20. If this matter ever comes to a local Public Inquiry \* for determination, would you be prepared to attend to give your knowledge of the route to the Inspector at the Inquiry?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

*(Please tick appropriate box)*

*\*(An Inspector is appointed by the Secretary of State to conduct a local Inquiry or hearing and to ensure that all those who wish to give evidence about a route may do so. Verbal evidence given to the Inspector at an Inquiry is important evidence. The Inspector will make an independent assessment of the merits of a route and he will issue a decision letter to the Council after the Inquiry.)*

#### DECLARATION

I hereby certify that to the best of my knowledge the information that I have given in this statement is true.

Signed:- \_\_\_\_\_

Date:- \_\_\_\_\_

**Data Protection:**

*Please note that the information provided above may be reproduced, stored and copied in connection with the processing of the application/(proposed) Order for a Public Right of Way and /or any Public Inquiry. Information will not be used for additional purposes without consent.*