



**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.

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)?

*** IF NECESSARY, CONTINUE YOUR ANSWERS ON A SEPARATE SHEET OF PAPER ***

<p>Please do not use vague terms such as 'frequently'.</p> <p>c) During which years did you use the way?</p> <p>d) How many times a year ? - please be as precise as you can. Was it seasonal?</p> <p>(IF DIFFERENT USE AT DIFFERENT PERIODS, PLEASE GIVE APPROXIMATE DATES OF VARIOUS USE)</p> <p>e) By what means (i.e. foot, horse, pedal cycle, cart, motor cycle, motor)</p> <p>f) Is the way, or was it, a short cut for you? If so why?</p>	
<p>2. When using the path where did you live? If different places for different periods please give dates - in years.</p>	
<p>3. If you rode a horse</p> <p>i) where did you stable/keep it and ride it from? Please give dates in years.</p> <p>ii) at what time of day was it your custom to ride? Please be as precise as possible.</p>	
<p>4. If you were riding, did you ever use the way with the hunt?</p>	
<p>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?</p>	
<p>6. When you used it, was there always a clearly defined track or path which could be followed by a stranger?</p>	

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<p>7. Has the way always run over the same route? If it has altered, give details and dates</p> <p>PLEASE MARK ANY CHANGES WHICH YOU EXPERIENCED ON THE PLAN</p>	
<p>8. Did you; (a) keep to the path claimed? (b) wander freely between start and finish?</p>	<p>PLEASE ANSWER WITH EITHER (a) OR (b).</p>
<p>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?</p> <p>PLEASE MARK THE PLAN TO SHOW WHERE THEY WERE/ARE.</p>	
<p>10. If gates, were any ever locked? If so, say where and when, and by whom.</p> <p>PLEASE MARK THEM ON THE PLAN.</p>	
<p>11. Do you remember any direction or finger posts on or near the way? If so, where and when, and what did they say?</p> <p>PLEASE MARK THEM ON THE PLAN.</p>	
<p>12. Do you remember <u>any</u> other notices or signs on or near the way? If so what did they say? Where and when did you see them?</p> <p>PLEASE MARK THE PLAN TO SHOW WHERE THEY WERE/ARE.</p>	

<p>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".</p>	
<p>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?</p>	
<p>15. If you were an owner or tenant, did you recognise that the way was a public right of way?</p>	
<p>16. Was a close relative of yours (e.g. spouse or parent) working for a tenant or landowner fronting the way?</p>	
<p>17. Did you ever encounter any obstructions not already described (in 10 above)?</p>	
<p>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.</p>	
<p>19. Have you seen other people using the way in the same manner as yourself? Were they your companions? If so, how <u>many</u> were there and <u>when</u> was it? Please give what details you can.</p>	
<p>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?</p>	

<p>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?</p>	
<p>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.</p>	
<p>23. If you have ceased using the way, please say why.</p>	
<p>24. If you wish to give further particulars, please do so here, or continue on a separate sheet.</p>	
<p>25. If someone wrote down your answers on this form for you, please give his/her name and address.</p>	
<p>26. IMPORTANT! STRIKE OUT WORDS TO ANSWER THIS! <u>I AM/AM NOT WILLING TO ATTEND A PUBLIC INQUIRY</u> TO STAND BY WHAT I HAVE WRITTEN AND TO ANSWER QUESTIONS THERE SHOULD THIS BE NECESSARY.</p>	

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

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: Legal Services Division, Corporate Services Directorate, Essex County Council, County Hall, Chelmsford CM1 1LX

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