Leeds CITY COUNCIL

CLAIMING A PUBLIC RIGHT OF WAY GUIDANCE NOTES
USER EVIDENCE FORMS

The purpose of the attached User Evidence Form is to enable the Countryside and Access Section to make an initial assessment of the user evidence and determine if there is sufficient evidence available to reasonably allege the existence of a public right of way.

In order for a path claim to proceed it is usually necessary to provide evidence of use by the public for at least twenty years. It is not necessary for every person completing a form to have used it for twenty years themselves. Use of a path for any period of time, however long or short, is acceptable as evidence.

If at any time you are unsure of how to complete the form please contact the Public Rights of Way Section on 0113 3782875, 0113 3782906 or 0113 3782890.

Completing Your User Evidence Form:

- Please complete the form as an individual. If other family members have also used the path they should complete a separate User Evidence Form
- All sections of the form and map must be completed by the user. The applicant or coordinator should not complete any part of the form or map for other users
- Complete all sections of the form even if your answer is 'no', 'none' or 'can't remember'
- Provide as much detail as possible. For example, dates when you used a path or when it was blocked
- Sign and date the form. If someone else has filled in your form for you please get them to write their name and address in the space provided at the bottom of the form
- Show the full extent of the path that you have used on the attached map. Sign, date and print your name on the map
- If you wish to claim more than one path in the area please claim is separately by completing a separate User Evidence Form and map.
- Return the completed User Evidence Form and map to the person Co-ordinating the claim.

What Happens Next?

Applications are dealt with in order of receipt and in line with Leeds City Council's Statement of Priorities. Therefore investigations into the claim may not commence immediately. You may be contacted again for further information or evidence when the claim is investigated.

Once we have examined all the available evidence from users, landowners and documents we will make a decision, following a public meeting as to whether or not to make a Modification Order.

If a Modification Order is made there will be an opportunity to object. If none are received the Modification Order will be confirmed and the path will become a legal right of way. If objections are received the Order will be forwarded to the Secretary of State for Environment, Food and Rural Affairs who will normally appoint a Planning Inspector to hold a Public Inquiry and determine the Order. If a Public Inquiry is held you will be able to attend the Public Inquiry and provide evidence in support of the path.

Please note that the evidence you provide may be inspected by the owner(s) or occupier(s) of the land and other interested parties.

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PUBLIC RIGHTS OF WAY USER EVIDENCE FORM

Title: ..... Name: .....

Address: .....

.....

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Telephone: ..... Date of Birth: .....

Occupation: .....

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

Signature:.....

Date: .....

Name and address of person taking the statement. (If different from above signatory)

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Thank you for answering these questions. Please return this form to the **co-ordinator of this application**.

Please Note: Details of your evidence may be disclosed to other interested parties. Should a dispute arise over the existence of the claimed path you may be asked to present your evidence at a local public inquiry.

Please mark the route that you have used on the attached map.

Description of the route: Name: .....

From: .....

To: .....

2. How long have you known the route? .....

3. What status do you consider this route to have?

Footpath: ❑ Bridleway: ❑

Restricted Byway: ❑ Byway Open To All Traffic: ❑

4. Do you think the route is public or private? .....

5. In what year did you first use the route? .....

6. Do you still use the route? ..... If not, in what year did you stop using it and why? .....

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7. Is there a visible or defined path to follow? .....

8. What is the approximate usable width of the path? ..... feet/metres

9. How have you used it (tick any that apply.):

On foot: ❑ During which years? .....

On horseback: ❑ During which years? .....

On a bicycle: ❑ During which years? .....

By horse drawn vehicle: ❑ During which years? .....

By motorised vehicle: ❑ During which years? .....

10. How often do/ did you use it? (Number of times per day/ week/ month/ year) .....

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11. For what purpose do/ did you use the path? (e.g. pleasure, shops, going to work etc. Please state location of destinations.) .....

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12. Have you ever seen any of the following on the path? If so please provide details: where, when, how many and what they said and mark their location on the map:

Stiles: .....

Gates: .....

Signposts: .....

Obstructions: .....

Notices: .....

13. Has any work taken place on the path? If so, please provide details. (e.g. what, where, when?)

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14. Have you ever been given permission to use the path? If so, who by? .....

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15. Have you ever been stopped or challenged on the path? If so, who by and what did they say? .....

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16. Have you ever been prevented from using the path? If so, please provide details. (How, when, for how long?) .....

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18. Name of the owner(s) or tenant(s) of the land if known. .....

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19. Have you ever owned the land? If so, when? .....

20. Did you stop anyone from using the path or grant anyone permission to use it? If so please provide details. (who, when, how, for how long?) .....

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21. Have you ever been a tenant or employee of the landowner? If so when and who to? .....

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22. Were you given any instructions about the path? If so, please provide details. .....

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23. Have you ever seen people using the path? If so, when, by what means and how regularly?

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24. Would you be willing to attend a local public inquiry if necessary? .....

25. Is there anything else you wish to add? .....

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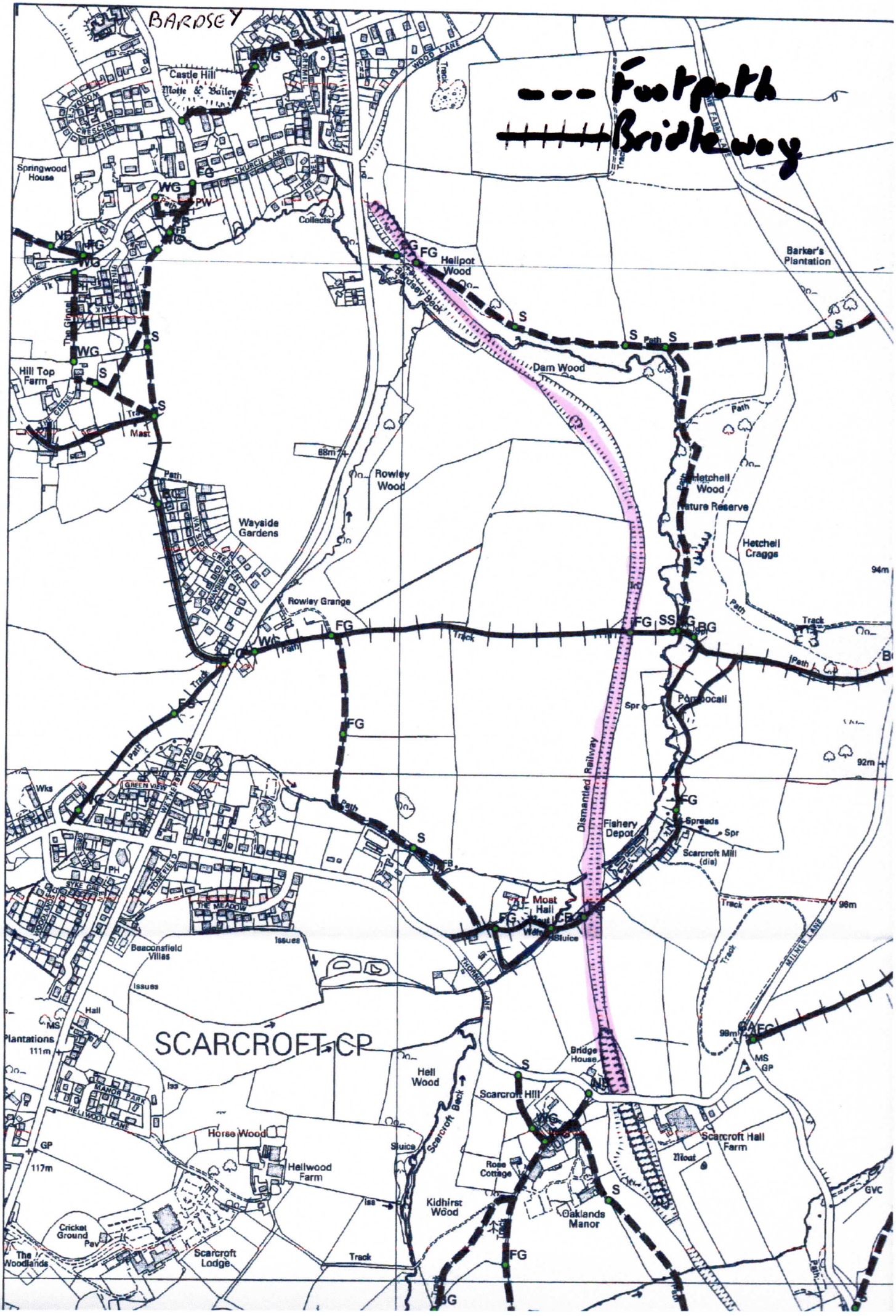
BARDSEY
Footpath
Bridleway
SCARCROFT CP
Castle Hill
Motte & Bailey
Springwood House
Hill Top Farm
Wayside Gardens
Rowley Grange
Rowley Wood
Hellpot Wood
Dam Wood
Barker's Plantation
Hetchell Wood
Nature Reserve
Hetchell Craggs
Pompocali
Dismantled Railway
Fishery Depot
Spreads
Scarcroft Mill (dis)
Moat Hall
Beaconsfield Villas
Issues
Hall Plantations
Hell Wood
Scarcroft Hill
Bridge House
Scarcroft Hall Farm
Moat
Rose Cottage
Oaklands Manor
Kidhirst Wood
Scarcroft Beck
Horse Wood
Hellwood Farm
Scarcroft Lodge
The Woodlands
Cricket Ground
Sluice
Track
Path
Mast
Collects
Wks
PO
PH
GP
MS
Iss
Pav
GVC
68m
92m
94m
98m
99m
111m
117m