

# Public rights of way user evidence statement accompanying an application for Suffolk County Council to make a definitive map modification order

This form must be used to provide user evidence of use of a route by the public in relation to an application for Suffolk County Council to make an order modifying the definitive map and / or statement under section 53(2) of the Wildlife and Countryside Act 1981.

**Please ensure that you read all the following notes before completing the form:**

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 to make a change to the definitive map and / or statement of public rights of way in Suffolk.

This statement is intended to provide preliminary evidence about the application. When the Order Making Authority (OMA) commences detailed research, an Officer from that OMA 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 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 route in question. 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 and attach it to this statement.

**If completing the statement by hand please ensure that 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 OMA 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 OMA 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 OMA will help you with the procedure.

The information you give in this statement will be processed in accordance with the General Data Protection Regulation. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to. Suffolk Country Council's Rights of Way and Access privacy notice can be viewed at [www.suffolk.gov.uk/about/privacy-notice/rights-of-way-and-access-privacy-notice/](http://www.suffolk.gov.uk/about/privacy-notice/rights-of-way-and-access-privacy-notice/)

### General Data Protection Regulation Declaration (GDPR Declaration)

Under the GDPR the OMA has a duty to inform you about how your personal data will be handled. Information provided in this statement will be used by the OMA to undertake its statutory duties under the Wildlife and Countryside Act 1981 section 53. 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 and signature contained on this page). You should only provide us with the information requested 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 in it will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publicly available.

Print your name	
Home telephone number	
Mobile telephone number	
Email address	

### Statement of Truth

**I believe that the facts and matters contained within this statement are true and I have read the GDPR Declaration above.**

Your signature:

Date:

You should keep a copy of your completed statement.

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.

**Information on this page of the statement will be redacted and will not be made publicly available**

## About you

Name	
Address	
Year of birth	
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)	

## About the application route

How do you think the application route should be recorded?	
As a footpath (public rights of foot only)	
As a bridleway (public rights on foot, on horseback or bicycle)	
As a restricted byway (public rights on foot, or horseback, or any non-motorised vehicle)	
As a byway open to all traffic (public rights for all classes of use including motor vehicles)	
Describe the application route, including start and finish points and provide OS grid references if you can.	

## Map of the application route

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details of in this statement. Please initial and date your map. **Do not add your full signature.**

## 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 and how often? (please indicate any that apply) Please state whether your use was daily, weekly, monthly, every few months, once a year, or something else.		
On foot		
On horseback		
By pedal cycle		
By car		
Other (please specify)		
4. For what purpose did you use the route?		
5. Has the route always followed the same course?		
Yes	Don't know	No
If no, how and when was the route altered?		

6. Approximately how wide is the application route?

Please give your estimate of the width across which you used the route including the width used when passing others walking or walking with others. Take care to consider the overall width of the route. If the width varies, please describe how.

7. What type of surface does the application route have?

For example grass, gravel, earth etc. For varying surfaces please describe with reference to your map.

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

Stiles (state how long they were in place, locations and show on your map)

Gates (state whether locked and when, locations and show on your map)

Other barriers (state what, how long they were in place, location, and show on your map)

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

Yes

No

If yes, please give details.

10. 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” etc.

Yes

No

Don't know

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

11. Have you seen other people using the application route whilst you have been using it?

Yes

No

If yes, please provide any additional information about this.

12. 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 a tenant or licensee of any such owner?

Yes

No

If yes, please provide details.

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

Yes

No

If yes, please state from whom and when.

14. 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.

Yes

No

If yes, please state by whom and when.

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

Yes

No

If yes, please give details including when this happened.

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

Yes

No

If yes, please give details including when this happened.

17. Have you ever had a private right to use the application route?

For example an easement, private right of access, license etc.

Yes

No

If yes, please give full details including who gave the permission, why and when.

18. 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.

Yes

No

If yes, please provide details.

19. Please give any further information that 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.

If you wish to provide a separate sketch map, please do so and attach it to this statement

20. During the County Council's investigation into the claimed route, an Officer may want to interview some or all of the witnesses to gather additional information. Would you be willing to talk to an Officer from the OMA about your knowledge of the application route?

Yes

No

21. Would you be willing to attend a hearing or public inquiry to give evidence if necessary?

Yes

No