

DERBYSHIRE COUNTY COUNCIL

User Evidence Form for Claimed Public Right of Way

Please read the following notes before completing this form:

- The Council is required by Part III of the Wildlife & Countryside Act 1981 to keep a record of public rights of way in Derbyshire ("the Definitive Map") and a legal duty to determine applications to modify the Definitive Map and Statement (DMMO applications).
- This form is designed for use by anyone who has personal knowledge about public use of (1) any route in Derbyshire for which a public right of way is not recorded, but is claimed to exist, or (2) any route for which a public right of way is claimed to be recorded incorrectly (e.g. in terms of the type of right of way shown, or the position).
- We are committed to protecting your personal data and ensuring that it is processed fairly and lawfully. Information you provide to us will be processed in accordance with the General Data Protection Regulations, The Data Protection Act 2018 and subsequent legislation. The basis on which the County Council processes your information is in accordance with the legal obligation under the Wildlife and Countryside Act 1981.
- In some cases the Council is required by law to allow other persons to have access to completed forms and other documents relating to a Definitive Map claim. Therefore, if you provide personal information (e.g. name, address, telephone number and date of birth), either using this form, or in any other document relating to a Definitive Map claim, it could become accessible to the public. The information provided will only be processed for the purpose of determining the Definitive Map claim and for no other purpose.
- Each individual who is willing and able to give evidence should complete their own form.
- Please complete all of this form. If you know about more than one route, please use a separate form for each.
- When considering a Definitive Map claim the Council will take into account all relevant evidence available, including completed user evidence forms. If the Council makes an order to modify the Definitive Map, and the order is subject to objections, the evidence will also be examined by an Inspector on behalf of the Secretary of State. Therefore it is important that you complete the form as accurately and fully as you can. If you cannot remember any details please write that you cannot remember.
- If you have been provided with this form by someone who is preparing a Definitive Map claim, please return any completed form to them instead of directly to the Council.

Personal Details

Please use **BLOCK CAPITAL LETTERS**

Full Name Date of Birth

Address

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Telephone No E-mail

The information that I have given on this form is true and accurate to the best of my knowledge.

Signed Date

Information about the route

Please describe the route that you are able to provide evidence for. Include details of the route itself, the points it runs between and the parish/es in which it is located.

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If a plan is already attached to this form which covers the area of the route you are describing, please mark clearly on it the precise line of the route from start to finish. Otherwise, please attach an Ordnance Survey based plan to a scale of no less than 1:25,000 which you have marked clearly with the precise line.

What is the approximate width of the route?

Details of your use of the route

a) In what way/s have you used the route? (Please tick the appropriate box/es)

On foot	☐	In/on a motor vehicle	☐
On horseback	☐	Other, please specify	
On a pedal cycle	☐		

b) In what way/s have you noticed other people using the route? (Please tick the appropriate box/es)

On foot	☐	In/on a motor vehicle	☐
On horseback	☐	Other, please specify	
On a pedal cycle	☐		

c) What have been your reasons for using the route? (Please tick the appropriate box/es)

To visit places on the route ☐ As part of a longer journey ☐

Please specify where you have travelled to and from.

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d) Have you used the route as part of an organised group event?

Yes ☐ No ☐

If so, please give details.

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- e) How have you used the route, and during which years, and approximately how frequently have you used the route? (please complete as appropriate and tick the appropriate box)

On foot

Year from to

Daily ☐ Weekly ☐ Monthly ☐ Less than monthly ☐

On horseback

Year from to

Daily ☐ Weekly ☐ Monthly ☐ Less than monthly ☐

On pedal cycle

Year from to

Daily ☐ Weekly ☐ Monthly ☐ Less than monthly ☐

In/on motor vehicle Year from to

Daily ☐ Weekly ☐ Monthly ☐ Less than monthly ☐

Other method (Please specify)

Year from to

Daily ☐ Weekly ☐ Monthly ☐ Less than monthly ☐

Were there any years, within the period stated above, when you did not use the route? If so, when was this? Please give dates.

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If your frequency of use of the route changed over time, please describe how.

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Further information

- a) Do you remember the route ever having been blocked? If so, give details and dates.

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- b) Has the route always followed the alignment described above? YES/NO?
 If NO please describe how, when and why it changed.

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- c) Do you recall any stiles or gates on the route? If so, give details of where they were and when they were present, whether they prevented or deterred use of the route and mark their positions (S for stile, G for gate, B for bridge) on any plan attached.

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If gates were present were they ever locked? YES/NO

If YES when and for how long were the gates locked?

- d) Do you recall seeing any notices? If so, where were they placed, when were they present and what was their wording?

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- e) Were you working for the owner or occupier of any land along the route when you used it, or were you then an occupier of any such land? If so, give details and dates.

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- f) Were you ever given permission to use the way? If so, provide details of who gave permission and when.

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- g) Did you have a private legal right of access over the claimed route? YES/NO

- h) Have you ever been stopped or turned back when using the route? If so, give details and dates.

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- i) Were you ever told by anyone, that the route was not public, or that it was only public for particular purposes (eg that it was a public footpath, not bridleway)? If so, give details and dates.

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If you have any further comments to make please use the space below.

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Would you be willing to attend as a witness at a public Inquiry or hearing to give evidence of your use of the route?

Yes ☐ No ☐

Any requests for additional forms or other communications to the Council about this form should be addressed to:

Director of Legal Services (Room B219)
Derbyshire County Council
Matlock
Derbyshire
DE4 3AG

Telephone: 01629 536570 Email: dmmo.register@derbyshire.gov.uk

This version of base form issued: February 2023