

## **PUBLIC RIGHTS OF WAY USER EVIDENCE STATEMENT**

The information you provide in this statement will form part of an application that seeks to change the North Yorkshire Definitive Map and Statement (the legal record of public rights of way). Once complete you may either return the form to the person making the application or to the Definitive Map Team, North Yorkshire Council, County Hall, Northallerton, DL7 8AH.

This statement is intended to provide preliminary evidence about the application. When North Yorkshire Council (NYC) commences detailed research, an officer from the Council 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, and/or the status of the right of way (footpath, bridleway yet). 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 application route. The information given may be examined at a public inquiry. Changes to public rights of way have to be dealt with by a public process because they affect the public's rights.

**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 which will need to be attached to this statement.

**Please ensure this statement is completed legibly and in black ink.**

### **Confidentiality – Please Read Carefully**

**The information you give in this statement cannot be treated as confidential.**

- The information you provide will be retained by NYC who is 'the Order Making Authority' (the OMA), for the purposes of undertaking its statutory obligations in accordance with the Wildlife and Countryside Act 1981, section 53. For the purpose of data protection, the OMA is the data controller. NYCC may use an Agent to undertake certain obligations on its behalf. If so the Agent will be the data processor.
- It may be necessary for NYC to disclose information received regarding the application 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. This includes the information you give in this statement, as well as other evidence relating to the application. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If NYC 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 NYC officers 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 NYC’s Public Rights of Way Team for the sole purpose of processing the application for the route referred to, and for no other purpose.

**DECLARATION – Important, please read carefully**

**General Data Protection Regulation (GDPR)**

Under the GDPR the Council has a duty to inform you about how your personal data will be handled. Information provided in this statement will be used so that the OMA may undertake its statutory duties in accordance with the Wildlife and Countryside Act 1981 section 53. In order to determine if and how a public right of way should be recorded on the Definitive Map and Statement 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 therein will be retained by the OMA and considered and published as part of its statutory duty to determine the application to establish whether a public right of way exists. In signing it, you are acknowledging that it may be made publicly available and published on the Council’s website.

<b>Please print your full name here</b>		<b>Year of Birth</b>
<b>Address</b>		
<b>Have you lived at any other addresses in the time you used the path? If so please give details</b>		
<b>Telephone</b>		<b>Occupation</b>
		<b>Email Address</b>

**Statement of Truth:**  
**I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT AND MAP ARE TRUE AND I HAVE READ THE DECLARATION ABOVE**

<b>Your Signature</b>		<b>Date</b>	<b>Admin Use Only</b>
			<b>Form Unique ID</b>

**You should keep a copy of the 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.



<b>Admin Use Only</b>	
<b>Form Unique ID</b>	
<b>File Ref No</b>	

## **WCA FORM D - PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT**

### **ABOUT THE APPLICATION ROUTE**

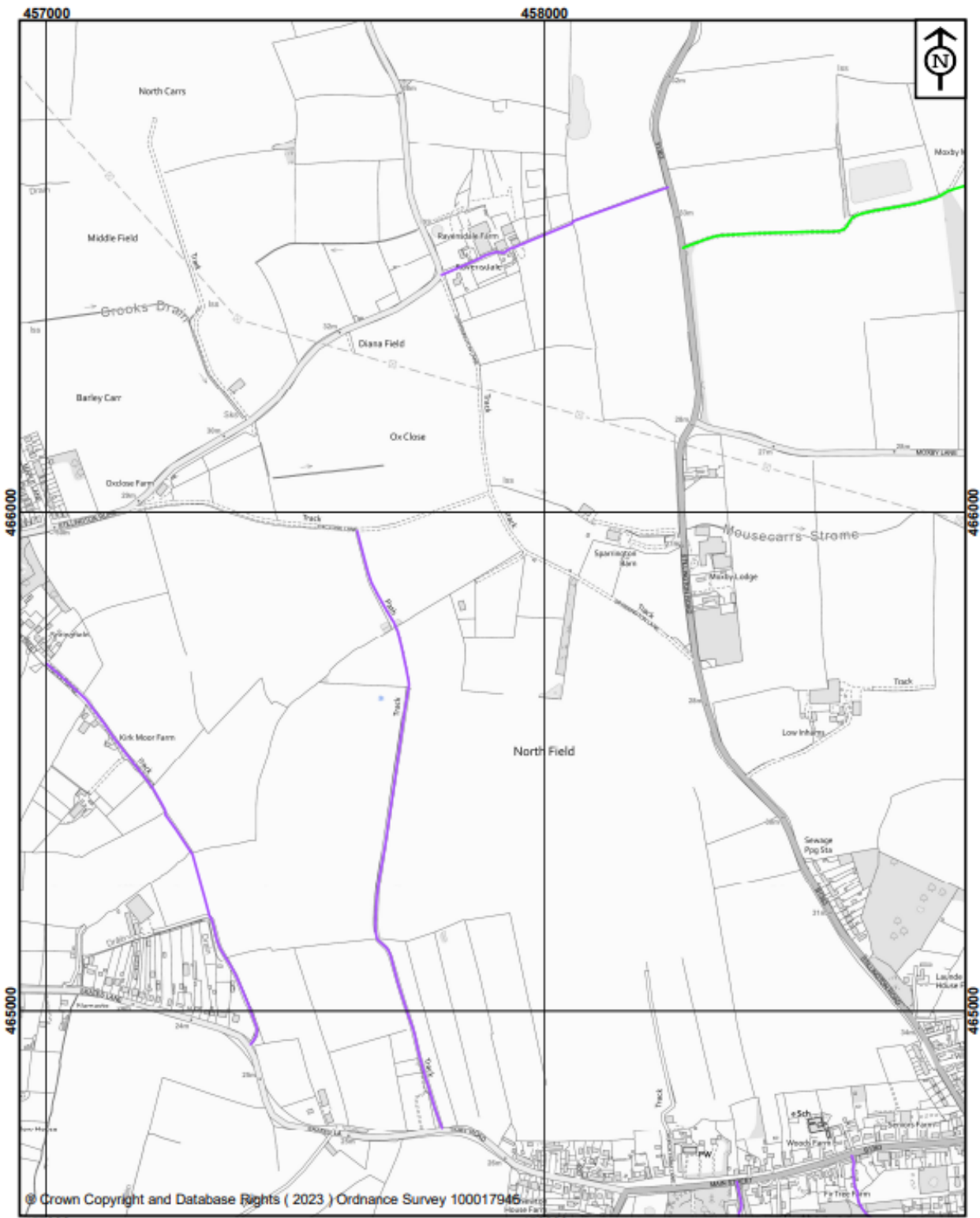
Describe the application route (include start and finish points and provide OS grid references if you can)

Description	Grid Ref Start	Grid Ref End

### **MAP OF THE APPLICATION ROUTE**

Please use the map on the next page to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement (eg different routes used, locations of gates, stiles, signs etc).

On the map, draw a line along the exact route you used and then, using the same colour & line-style, draw your line in the map key at the bottom of the map, alongside "Route I used".



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**NORTH YORKSHIRE COUNCIL**  
 Public Rights of Way  
 Countryside Access Service  
 County Hall  
 Northallerton  
 DL7 8AH

**Key:**  
 Route I used  
 Public Footpath  
 Public Bridleway

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Map drawn on 12 December 2023  
 Drawn by SJW

Scale 1:10000

**DECLARATION**  
 I confirm that this map shows  
 the route I used and the features  
 (gates, stiles, notices, etc)  
 I remember

**YOUR USE OF THE APPLICATION ROUTE**

1. Overall, in which years did you use the application route? (eg from 1974 to 2005)

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?

From	To	Reason

3. How did you use the application route and how often? [Please tick any that apply and include dates]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot						
Dates: From						
To						
On horseback						
Dates: From						
To						
By pedal cycle						
Dates: From						
To						
By car/motor bike						
Dates: From						
To						
Other						
Dates: From						
To						

4. Has the route you used always followed the same course?

Yes

No

If no – how and when was the route altered?

5. For what purpose did you use the route?

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 or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] *eg mostly approx. 2m wide but narrows to approx. 1m next to buildings in farmyard.*

7. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map-add A, B, C etc to plan if that helps]

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

	Tick for Yes	Can't Recall	Location (please mark on your map)	Dates	Did they prevent you using the route
Stiles					Yes <input type="checkbox"/> No <input type="checkbox"/>
Locked Gates					Yes <input type="checkbox"/> No <input type="checkbox"/>
Unlocked Gates					Yes <input type="checkbox"/> No <input type="checkbox"/>
Other barriers (please specify)					Yes <input type="checkbox"/> No <input type="checkbox"/>

9. If you have you ever seen any signs or notices suggesting whether or not the application route is a public right of way (for example "Footpath", "Private", "Keep Out", "No Right of Way", "Trespassers will be Prosecuted" etc) please give details below.

Wording of sign	Location (please mark on your map)	Date seen	Did they prevent you using the route
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>

10. Have you seen other people using the application route?

Yes  No

If yes, please provide any additional information about this (eg when & how often you saw them, whether they were on foot, bicycle, horse, motorbike etc)

**LAND OWNERSHIP**

11. Do you know the current or any previous landowners or occupiers of the land crossed by the application route? If yes, please give details (names and dates of ownership / tenancy etc)

		Details
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 then a tenant / licensee of any such owner?	Yes <input type="checkbox"/>  No <input type="checkbox"/>	
13. Did the owner or occupier ever give you permission (or did you seek permission) to use the route?	Yes <input type="checkbox"/>  No <input type="checkbox"/>	

<p><b>14.</b> 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)?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	
<p><b>15.</b> Have you ever been stopped, or turned back when using the application route?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	
<p><b>16.</b> Has anyone else ever told you that they were prevented from using the application route?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	
<p><b>17.</b> Have you ever had a private right to use the application route? (eg, an easement or private right of access to property you owned or rented, other private right of access, licence, etc)</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	

**OTHER INFORMATION**

**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)** Please give details below and submit copies with this form if possible.



**19.** Please give any further information which 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 to this statement]

**20.** During the investigation the Council may want to interview some or all of the witnesses in order to gather additional information. Would you be willing to talk to an officer from the Council 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