

**APPLICATION FOR MODIFICATION ORDER  
(Wildlife & Countryside Act, 1981)**

**PUBLIC RIGHTS OF WAY EVIDENCE FORM**

**Important Notice:**

**The object of this questionnaire is to reach the truth of the matter, whatever it may be. You are therefore asked to answer the questions as accurately as possible and not to keep back any information, whether for or against the claim. The information given on this form may be presented at a public inquiry; therefore evidence provided cannot be treated as confidential.**

Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Post Code: \_\_\_\_\_

Age: \_\_\_\_\_ Telephone No: \_\_\_\_\_

Occupation: \_\_\_\_\_

**1. Description of route of path or way**

Parish/Town: \_\_\_\_\_

From: \_\_\_\_\_

To: \_\_\_\_\_

Name of path or way, if known: \_\_\_\_\_

Please mark the route of the way **clearly** and **precisely** on a map and sign it accordingly.

1.1 Has the path or way always run over the same route or has it been moved at any time?

\_\_\_\_\_

If it has been moved, give details and dates: \_\_\_\_\_

\_\_\_\_\_

If necessary, please continue your answers on a separate sheet of paper.

**2. Do you believe this way to be public?**

YES/NO

2.1 Why do you believe the way to be public?

\_\_\_\_\_

\_\_\_\_\_

2.2 For how many years have you held this belief? \_\_\_\_\_

2.3 Do you regard that the route of the way to be public for use as a:

Classification	Tick (one box only)
Footpath <i>(right of way on foot only)</i>	
Bridleway <i>(right of way for walkers, and horse riders)</i>	
Byway <i>(right of way for all classes of traffic, including vehicles)</i>	

**3. Have you used the path or way yourself?**

YES/NO

3.1 Over which period (years) have you used this route? *(Give earliest and latest dates)*

From: \_\_\_\_\_ To: \_\_\_\_\_

3.2 Please state any extended periods (years) of non-use

From: \_\_\_\_\_ To: \_\_\_\_\_

3.3 When using this way, where were you going?

From: \_\_\_\_\_ To: \_\_\_\_\_

3.4 For what purpose? \_\_\_\_\_

3.5 How frequently have you used this path or way? \_\_\_\_\_  
*(i.e. daily, weekly, monthly, occasionally)*

3.6 By what means did you use the path or way? \_\_\_\_\_  
*(i.e. on foot, horse or in a vehicle)*

**4. Were you working for any owner or occupier of land crossed by the path or way at the time when you used it, or were you then a tenant of any such owner?**

YES/NO

If so:

a. Give particulars and dates: \_\_\_\_\_

b. Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were: \_\_\_\_\_

\_\_\_\_\_

4.1 Have you ever been related to any owner or occupier of the land, or any part of it, crossed by this way?

YES/NO

Please give particulars: \_\_\_\_\_

**5. Who owns the land crossed by this path or way?** \_\_\_\_\_

\_\_\_\_\_

**6. Have you ever obtained permission to use the path or way?** YES/NO

If so, from whom? \_\_\_\_\_ When? \_\_\_\_\_

**7. Have you ever been stopped or turned back when using the path or way, or do you know of anyone having been prevented from using it?** YES/NO

If yes, please give particulars and dates: \_\_\_\_\_

7.1 Were you ever told by an owner or tenant of the land crossed by the path or way, or by anyone in their employment, that it was not public? YES/NO

If yes, please give particulars and dates: \_\_\_\_\_

7.2 Do you believe the owner or occupier was aware the public was using the way? YES/NO

If yes, why? \_\_\_\_\_

**8. Have there to your knowledge ever been any stiles or gates on the path or way?** YES/NO

a. Type of structure: \_\_\_\_\_

b. Date erected: \_\_\_\_\_

c. For how long was it in place?: \_\_\_\_\_

d. Location of structure: *(Please mark on a map of the claimed route)* \_\_\_\_\_

8.1 If there were any gates across the path or way, were there occasions when these were locked? YES/NO

Please indicate particulars and dates: \_\_\_\_\_

**9. Have you ever known any other obstructions to the way?** YES/NO

a. Type of obstruction: \_\_\_\_\_

b. Date path was obstructed: \_\_\_\_\_

c. For how long was path obstructed?: \_\_\_\_\_

d. Location of obstruction: *(Please mark on a map of the claimed route)* \_\_\_\_\_

9.1 Have you ever been prevented, or deterred, from using the way because of these obstruction YES/NO

Please indicate particulars and dates: \_\_\_\_\_

**10. Have you ever seen any prohibitive notices on, or associated with, the way?** YES/NO

a. What did the notice say?: \_\_\_\_\_

b. Date notice was erected: \_\_\_\_\_

c. For how long was notice in place?: \_\_\_\_\_

d. Location of notice: *(Please mark on a map of the claimed route)* \_\_\_\_\_

10.1 What effect did the notice have on your use of the routes of the way? \_\_\_\_\_

**11. Have you ever enjoyed a private right along the route in question?** YES/NO

If yes, please give particulars: \_\_\_\_\_

**12. Any further particulars, comments or observations which you wish to make known:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**13. If necessary, would you be willing to attend a public inquiry to give evidence on this matter?** YES/NO

### **DECLARATION**

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

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Person taking this statement:** \_\_\_\_\_ **Date:** \_\_\_\_\_