

**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”).
- 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).
- The Council processes personal information, including any which it receives under this form, in accordance with Data Protection legislation.
- 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.
- A ‘fair processing notice’ relating to information about the history and use of public rights of way is available from the County Secretary on request (contact address and telephone number below). It explains in more detail why and how relevant information and documents are handled by the Council, including when information and documents may be given to others.
- Each individual who is willing and able to give evidence should complete his or her own form.
- Please complete all of this form. If you know about more than one route, please use a separate form for each.
- The Council when considering a Definitive Map claim 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*. Generally it is very helpful to all concerned if completed forms are returned to the person organising the claim instead of directly to the Council. The forms can then be submitted to the County Secretary together with the application.

**Personal Details**

Full Name ..... Date of Birth .....

Address .....  
.....

Telephone No .....

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.

Claim to add Byway Open to All Traffic in the Parish of Outreach. Heathy Lane (non .....  
classified highway at Moscar Lodge) between the A57 and the county boundary with .....  
Sheffield. ....

**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? ..... 5 Metres .....

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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          | <input type="checkbox"/> | In/on a motor vehicle       | <input type="checkbox"/> |
| On horseback     | <input type="checkbox"/> | Other, please specify ..... |                          |
| On a pedal cycle | <input type="checkbox"/> | .....                       |                          |

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

- |                  |                          |                             |                          |
|------------------|--------------------------|-----------------------------|--------------------------|
| On foot          | <input type="checkbox"/> | In/on a motor vehicle       | <input type="checkbox"/> |
| On horseback     | <input type="checkbox"/> | Other, please specify ..... |                          |
| On a pedal cycle | <input type="checkbox"/> | .....                       |                          |

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

- |                              |                          |                             |                          |
|------------------------------|--------------------------|-----------------------------|--------------------------|
| To visit places on the route | <input type="checkbox"/> | As part of a longer journey | <input type="checkbox"/> |
|------------------------------|--------------------------|-----------------------------|--------------------------|

Please specify where you have travelled to and from.

.....  
.....

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

- Yes  No

If so, please give details.

.....

.....

e) During which years have you used the route?

Year from ..... to .....

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

.....

.....

f) Approximately how frequently have you used the route? (Please tick the appropriate box)

Daily  Weekly  Monthly  Less than monthly

Please specify .....

Further information

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

.....

.....

b) Do you recall any stiles or gates on the route? If so, give details of where they were and when they were present.

.....

.....

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

.....

.....

d) 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.

.....

.....

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

.....

.....

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

.....

.....

g) 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.

.....

.....

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

.....

.....

.....

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.....

.....

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

Yes  No

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

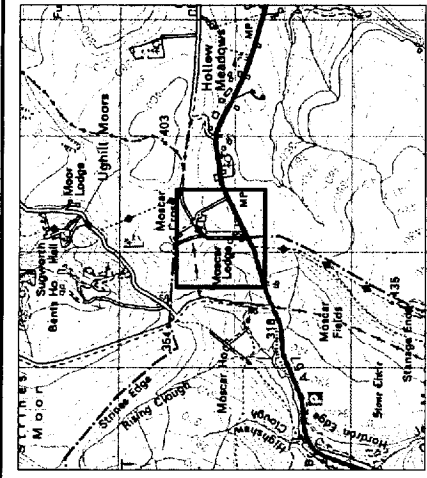
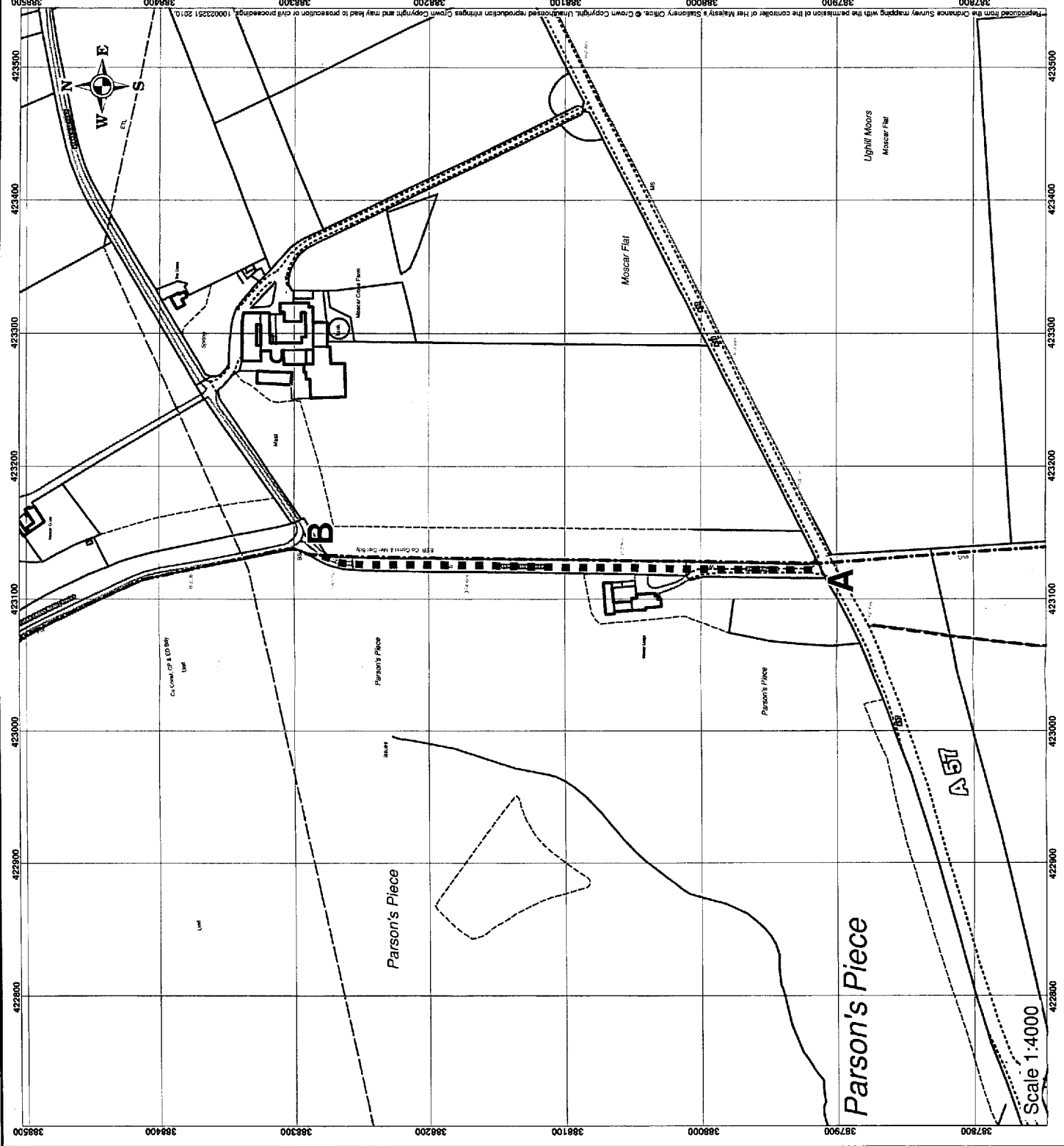
Signed ..... Date .....

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

The County Secretary's Division (Room B219)  
Derbyshire County Council  
Matlock  
Derbyshire  
DE4 3AG

Telephone: 01629 580000 extension 7241

This version of base form issued: March 08



**Wildlife and Countryside Act 1981 S.53**

**Heathy Lane (non classified highway at Moscar Lodge) in the Parish of Outseats between A57 and the county boundary with Sheffield**

**KEY**

- Route under investigation
- Existing footpaths
- County boundary



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