

## DEFINITIVE MAP MODIFICATION ORDER PUBLIC RIGHTS OF WAY- USER EVIDENCE FORM

The purpose of this form is to establish whether or not there is a public right of way over the route claimed and, if so, what type of right of way it is.

Please answer the questions as fully as possible, as your evidence is important. It will enable the Council to make an accurate, balanced decision.

If the Council proceeds with this claim, there may be a Public Inquiry. This would be held locally, and your evidence will be more valuable if you are prepared to attend and give evidence in person.

### FREEDOM OF INFORMATION

Under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004, members of the public have the right to ask for particular information. When a request for information is made North East Lincolnshire Council has to reveal all information it holds regarding that issue, subject to a number of exceptions.

Under Regulation 13 of the Environmental Information Regulations 2004 personal details and information on how and when individuals used routes will be withheld and only information contained in Q1-Q9 inclusive will be released until after a definitive map modification order has been made. At this point the Council must provide all documents, on request, that were taken into account in determining the application for an order [Wildlife & Countryside Act 1981, Schedule 15 (8)].

### WITNESS DETAILS

Mr/Mrs/Miss/Ms/Other..... Full Name ROBERT BARFORD  
Address..... [REDACTED]  
LACEBY  
Postcode..... [REDACTED] Daytime telephone number..... [REDACTED]  
Current / Former Occupation..... [REDACTED] Date of Birth..... [REDACTED]

### DESCRIPTION OF THE ROUTE

#### 1. a. Description of the route.

DIAGONAL TRACK ACROSS  
OPEN FIELD, THROUGH OLD  
ALLOTMENT SITE ONTO  
BUTT LANE

From BUTT LANE ENTRANCE TO OLD  
ALLOTMENT SITE, NOW NATURE  
RESERVE.

<p>b. Please mark clearly on the map provided, the route you have used, with a red dashed line:-</p> <p style="text-align: center;">- - - - -</p> <p><b>Please remember to sign and date the map.</b></p>	<p>To <u>PUBLIC FOOTPATH ON OPEN MEADOW LAND.</u></p> <p>.....</p> <p>.....</p>
<p>2. a. Does the route have a local name?</p> <p>b. Has the route always followed the same line? If not please mark any alternative routes, on the map provided, using a blue dashed line; i.e.</p> <p style="text-align: center;">- - - - -</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Name.....</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Date and reason for alternative route (or deviation)</p> <p>.....</p> <p>.....</p>
<p>3. When you have used the route, was it clearly identifiable on the ground?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Reason for not being visible.....</p> <p>.....</p>
<p>4. a. What type of surface does/did the route have?</p> <p>b. How wide was the route?</p>	<p><input checked="" type="checkbox"/> Grass <input type="checkbox"/> Stone <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Tarmac <input type="checkbox"/> Natural</p> <p>Width <u>1 m</u> .....metres or feet. (please delete as appropriate)</p>
<p>5. Has the route been shown on any maps, documents or deeds?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Description and date, of document..... <u>NOT KNOWN TO ME.</u></p> <p>.....</p>

### FURNITURE, OBSTRUCTIONS OR SIGNS

<p>6. a. Have there been any gates on the route? If so, what type of gates (tick all that apply)? Please mark their position on the map using a 'G' for gate.</p> <p>b. Were any of the gates ever locked? If so please give details.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Kissing Gate <input type="checkbox"/> Hand Gate</p> <p><input checked="" type="checkbox"/> Field Gate <input type="checkbox"/> Equestrian Gate</p> <p><input type="checkbox"/> Other.....</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Details..... <u>MAIN FIELD GATE IS GENERALLY LOCKED.</u></p> <p><u>P.S. MALICIOUS PARTY SOMETIMES FITS LOCKED CHAIN TO KISSING GATE</u></p>
<p>7. Have there been any stiles on the route? If so, please mark their position on the map using an 'S' for stile.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>



<p>8. a. Have you ever seen any notices or signs along the route? If so, please mark their position on the map using an 'N' for notice.</p> <p>b. If applicable, please give details of where and when you saw the notices or signs, and what they said, using a separate sheet of paper, if necessary.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Where.....</p> <p>Between when .....</p> <p>What did the notice say.....</p>
<p>9. Did you ever encounter any other obstructions on the route? If so, please tick all that apply and mark their position on the map using 'O' for obstruction.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Fence <input type="checkbox"/> Building</p> <p><input type="checkbox"/> Ditch <input type="checkbox"/> Other.....</p>

### YOUR USE OF THE ROUTE

<p>10. a. For what purpose have you used the route?</p> <p>b. Where were you going to and from?</p>	<p><input checked="" type="checkbox"/> Pleasure <input type="checkbox"/> To School</p> <p><input type="checkbox"/> To Work <input type="checkbox"/> Other (give details).....</p> <p>To... <u>PUBLIC FOOTPATH ON MEADOW (AIRCROSS)</u></p> <p>From... <u>HOME</u></p>
<p>11. a. During which years have you used the route?</p> <p>b. If you no longer use the route why did you stop using it ?</p> <p>c. Were there any extended periods of time when you did not use the route?</p>	<p>Start Date... <u>DECEMBER 2010</u></p> <p>Finish Date... <u>APRIL 2018</u></p> <p>Reason... <u>FENCED OFF BY PARISH COUNCIL AT MEADOW END OF ROUTE</u></p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Between.....And.....</p> <p>Why?.....</p>
<p>12. How often do/did you use the route?</p>	<p>.....per day <u>3-4</u> per week</p> <p>.....per month .....per year</p>
<p>13. By what means do/did you use the route?</p>	<p><input checked="" type="checkbox"/> Foot <input type="checkbox"/> Motor Cycle</p> <p><input type="checkbox"/> Pedal Cycle <input type="checkbox"/> Horse Drawn Carriage</p> <p><input type="checkbox"/> Motor Car <input type="checkbox"/> Horseback</p> <p><input type="checkbox"/> Other.....</p>

### USE WITH HORSES

<p>14. Please give details of where you rode from and to, and when.</p>	<p>From.....</p> <p>To.....</p> <p>Dates.....</p>
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### USE WITH VEHICLES

15. a. Have you ever driven (or been a passenger in) a vehicle on the route?

☐ Passenger ☐ Driver ☐ No

b. What type of vehicle was it?

☐ Motor Bike ☐ Motor Car  
☐ Tractor ☐ Horse Drawn Carriage  
☐ Lorry ☐ Other.....

c. Please give details of where you were travelling from and to.

From.....

To.....

d. How often did you travel in this manner?

.....per day .....per week  
 .....per month .....per year

### CHALLENGES

16. a. Have you ever been stopped or turned back by anyone when using the route?

☐ Yes ☒ No

b. If yes, please give details of whom, where, when and how they stopped you.

Details.....  
 .....  
 .....

### LANDOWNERSHIP

17. a. Do you know who owns the land affected by the claim?

☒ Yes ☐ No

b. If so, please give details of their name and address, using a separate sheet of paper if necessary.

Name... NORTH EAST LINCOLNSHIRE COUNCIL  
 Address... (LEASED BY LACBY PARISH COUNCIL)  
 .....

18. a. Are you or have you ever been an owner or tenant of any or all of the land crossed by the route?

☐ Yes ☐ Landowner ☐ Tenant  
☒ No

b. If so between which dates?

Between .....and.....

c. As a landowner, did you give any instructions regarding use of the route by the public?

☐ Yes ☐ No

d. If so, what was the instruction, who did you instruct, and when was it given? Use a separate sheet of paper, if necessary.

Details .....  
 .....



<p><b>19. a.</b> Whilst using the route, were you ever an employee of the landowner or tenant?</p> <p><b>b.</b> Is so, between which dates?</p>	<p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p>Between .....and.....</p>
<p><b>20. a.</b> If you were a tenant or employee, did you receive any instructions regarding use of the route by the public?</p> <p><b>b.</b> If so, what was the instruction, who gave it to you, and when was it given.</p> <p><b>c.</b> If you were a landowner or tenant, did you recognise that the route was a Public Right of Way? If so what was the status of the route?</p>	<p><input type="checkbox"/> Yes    <input type="checkbox"/> No</p> <p>Details.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p><input type="checkbox"/> Yes    <input type="checkbox"/> No</p> <p><input type="checkbox"/> Footpath    <input type="checkbox"/> Bridleway    <input type="checkbox"/> Byway</p>
<p><b>21. a.</b> Did you recognise any people using the route as being owners or tenants of land crossed by the route?</p> <p><b>b.</b> If so, please give details of name, address, using a separate sheet of paper, if necessary.</p>	<p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p>Name.....</p> <p>Address.....</p> <p>.....</p>
<p><b>22. a.</b> Were you ever related to any of the landowners or tenants or anyone in their employment?</p> <p><b>b.</b> If so, please give details of their name and address using a separate sheet of paper, if necessary.</p>	<p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p>Name.....</p> <p>Address.....</p> <p>.....</p>
<p><b>PERMISSIONS</b></p>	
<p><b>23. a.</b> Have you ever been given permission to use the route, whether or not you actually asked for it?</p> <p><b>b.</b> If so, please give details:</p>	<p><input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No</p> <p>By Whom? <u>LALBY PARISH COUNCIL</u></p> <p>Details... <u>ACCESS GRANTED TO GENERAL PUBLIC FOR USE OF NATURE RESERVE.</u></p>

### MISCELLANEOUS

25. Would you like to provide any additional information:

### IMPORTANT – PLEASE TICK AS NECESSARY

☒ I am Willing

☐ I am Not Willing

TO ATTEND A HEARING OR PUBLIC INQUIRY, TO STAND BY WHAT I HAVE WRITTEN, AND TO ANSWER QUESTIONS THERE, IF REQUIRED TO DO SO.

### DECLARATION

I hereby certify that, to the best of my knowledge and belief, the information held within this form is true.

Signature: .....

Date: .....

8th May 2018


Thank you for your assistance.

Please return this form, with maps and any additional sheets of paper securely attached, to:

The Public Rights of Way Mapping Officer  
Highways & Transport Services  
Origin Two  
Origin Way  
Genesis  
Europarc  
Grimsby  
DN37 9TZ





 Working in Partnership	<b>Details</b>			<b>Rev</b>	<b>No.</b>			This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of HMSO. © Crown copyright 2015. All rights reserved. Licence number 100020759	
	Plotting in MapInfo made easier								
	<b>Drawn by</b>	<b>Scale</b>	<b>Date</b>					North East Lincolnshire Council Civic Offices Knoll Street Cleethorpes, DN35 8LN	<a href="http://www.nelincs.gov.uk">www.nelincs.gov.uk</a>
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