

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

**PUBLIC RIGHTS OF WAY USER 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 allow yourself time to recall your evidence to the best of your ability before answering the questions as accurately as possible. Please do not 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.

**Highways Service – Asset Information Definitive Map Team: Data Protection Privacy Notice:** This form is about the inclusion of your contact details as the applicant for a claim to register a public right of way on the Definitive Map and Statement for Cambridgeshire.

We collect and use information about you - such as your name, address, email address, telephone number, and payment details - so that we can provide you with our services acting in our capacity as the Highway Authority and Commons Registration Authority under the Commons Registration Act 1965, Highways Act 1980, Wildlife & Countryside Act 1981, Town & Country Planning Act 1990, Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Commons Act 2006.

Full details about how we use this data and the rights you have around this can be found in our privacy notice at [www.cambridgeshire.gov.uk/privacy](http://www.cambridgeshire.gov.uk/privacy). If you have any queries, please contact the Data Protection Officer at [data.protection@cambridgeshire.gov.uk](mailto:data.protection@cambridgeshire.gov.uk). The national regulator for Data Protection is the Information Commissioner's Office: <https://ico.org.uk/>.

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. This should be undertaken by you as the witness rather than the person making the application .  
Highlighter pens should not be used as they are too thick to show a route to the required accuracy.

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: \_\_\_\_\_

1.2 Are, or were, there any physical boundaries to the route? Please describe them **in detail**. Any photographs, especially older ones, can be very helpful. \_\_\_\_\_

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:

<b>Classification</b>	<b>Tick (one box only)</b>
Footpath <i>(right of way on foot only)</i>	
Bridleway <i>(right of way for walkers and horse riders)</i>	
Restricted Byway <i>(right of way for walkers, horse riders and non motorised vehicles, including bicycles)</i>	
Byway Open to All Traffic <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)*

Please state if your frequency of use has varied and how. \_\_\_\_\_

3.6 By what means did you use the path or way?

Means	Period (dates)
Foot	
Bicycle	
Horse	
Horse & cart/trap	
Motor Vehicle (e.g. car/motorbike)	

**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 obstructions? 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 had a private right (e.g. a licence for access to something) 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:**

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**13. If necessary, would you be willing to attend a public inquiry to give evidence on this matter?**

YES/NO

**STATEMENT OF TRUTH**

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:** \_\_\_\_\_  
(if relevant)