



**DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY**

**PUBLIC PATH USER FORM**

**PLEASE READ THE PRIVACY NOTICE AND NOTES BEFORE COMPLETING THIS FORM**

The purpose of this form is to elicit information about your actual use of the way. Please answer all the questions as fully as possible ensuring that you don't withhold any information which could be relevant to the Council in considering whether the available evidence indicates that a public right of way subsists.

All Public Path User Forms must be accompanied by a map at a scale of greater than 1:25,000 indicating the way that you have used and must be signed and dated by you.

Although it is not our preferred practice to share the information contained in your completed Form with other parties before determining an application for a Definitive Map Modification Order, you should be aware that your completed form may be made available to other parties who have a right to see it under the Freedom of Information Act 2000. You should also be aware that a copy of your completed form will be included in the appendices to a report prepared by officers of the Council and may also be made available as part of a bundle of papers prepared for a future Public Hearing or Inquiry.

Cornwall Council may approach you to act as a witness for the Council at a future Hearing or Inquiry. If this is required, we will ensure that you have plenty of advance warning.

**1. DETAILS OF WITNESS**

Full Name: ..... Age: .....

Address: ..... Tel No (day) .....

..... Tel No (eve) .....

Post Code ..... Occupation .....

**2. PATH DETAILS**

Parish: Hayle District: Penwith

From : Cricket Club Road Grid Reference: 5.4274E,50.1921N

To: Riviere Estate Grid Reference: 5.4291E,50.1945N

**3. USE OF ALLEGED WAY**

(a) Have you personally used the claimed way? .....

(b) Where were you going to and from? .....

(c) For what purpose? .....

(d) When did you last use it? .....

(e) Have you always followed the same route?.....

If not, state the year you changed your route and why .....

(f) Has your use of the way ever been in exercise of some private right? (For example to reach your own property) YES/NO\*

If yes, please give full details including specific years and (if possible) dates during which you used it as a private right. ....

(g) Please complete the boxes below to show during which years you used the way as a public right of way, by what means you have used it and how many times a year you have used it.

<b>By what means, over what period &amp; how often did you use the way?</b>			
<b>Means</b>	<b>From (Year)</b>	<b>To (Year)</b>	<b>Times per Year</b>
On Foot			
On Horseback			
By Bicycle			
By Motor Vehicle			
Other [please specify]			

(h) Were there any years during which you did not use the route at all? YES/NO\*

If YES between which years and why? .....

(i) Did you see anyone else using the path and by what means? .....

(j) Do you believe the owner/occupier was aware the public was using the way? YES/NO\*

If YES, why? .....

[\*Please delete as applicable]

## Footpath C

### 4. DETAILS OF THE ALLEGED WAY

- (a) How wide is the way at its narrowest? Where is that point? ..... 2m, whole length
- (b) How wide is the way at its widest? Where is that point? ..... 2m, whole length
- (c) Has the way always run over the same route? ..... Yes. Minor variations due to vegetation
- ..... N/A
- If it has been diverted, give details and dates .....

### 5. STILES

- ..... There were stones to stop vehicles for about the last 10 years. There are now gates that are passable.....
- (a) Are there, or have there been, any stiles on the way? .....
- If so, state where, and mark on the Map attached ..... At the west end and about half way.

### 6. OPENABLE GATES

- ..... There are now gates that are passable.
- (a) Are there, or have there been, any openable gates on the way? .....
- If so, state where, and mark on the Map attached ..... At the west end and about half way.

### 7. NOTICES

- (a) Have you ever seen notices on or near the way? ..... NO
- If so, when and where (Please mark locations on Map) did you see these notices and what did they say? ..... N/A

### 8. OBSTRUCTIONS

- (a) Have you ever known any obstructions preventing use of the way? ..... NO
- If so, state where, and mark on the Map attached ..... N/A

### 9. VERBAL NOTICE

- (a) Were you ever told by an owner or tenant of the land crossed by the path or anyone in their employment that the path was not public? YES/NO\*  
..... N/A  
If YES, please give details? .....
- (b) Have you ever been stopped or turned back when using the way? YES/NO\*  
..... N/A  
If YES, state when and by whom and where this took place and give particulars. ....
- .....
- (c) Are you aware of anyone else being stopped or prevented from using the way?  
..... NO

**10. PERMISSIVE USE**

(a) Were you working for any owner or occupier of land crossed by the way at the time when you used it, or were you then a tenant of any such owner? YES/NO\*

(i) Give particulars and dates ..... **N/A**

(ii) 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. .... **N/A**

(b) Have you ever obtained or been granted permission to use the route? YES/NO\*  
If so, from whom? When? For what purpose?..... **N/A**

**11. ADDITIONAL INFORMATION**

If you can provide any other particulars, information or documents in relation to the claimed right of way that you consider would be helpful in reaching a decision as to whether or not a Modification Order should be made refer to them here i.e., is there any documentary evidence, e.g. Enclosure Awards, Tithe Maps, Railway Maps, etc., which you think will support the claim? If so, give details.....

[Continue on a separate sheet if necessary]

**12. DECLARATION**

**I hereby declare that to the best of my knowledge and belief my answers to the above questions are true.**

I am/am not\* willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove to be necessary. [\*Please delete as applicable]

If you are unwilling to do so, please give reasons:.....

**Signature** ..... **Date** .....

**Witness to Signature** .....