

Public Right of Way User Evidence Statement

18
—

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential.

- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.



2.8.21.

①

I lived at [redacted] Cae Glas, Barry, CF63 1RD
Since I was born [redacted] my parents
moved here in this year I believe.
Before this my great aunty and uncle owned
the property - ([redacted]) and lived
there as they took part in the building
of Cae Glas in 1950.

Its my understanding the land that Robins
court was built on was a brook, (local
people and myself still refer to it as 'The
Brook') a pig farm - (which [redacted]
[redacted] owned) and an allotment. But
way before any of this it was always
used as a footpath among other uses.

Throughout my life I have always used this
route by accessing the Gate at the rear of
[redacted] Cae Glas to walk safely to the shop, the
park and to visit family and friends in the
area. It is a safer route as I had to
encounter less roads.

I have lived in [redacted] Cae Glas since 2014 with
my family. My mum + Dad lived next door
so I always used their back gate to
access the walk way until the residents
of Robins court built a fence blocking access
from the Gate at the rear of [redacted] Cae Glas.

Another concern I have is the said fence is stopping the only access for vehicles to the main drain. I can't understand how the drain can be serviced or in an emergency accessed.

This route has been used as a school route as it's safer because there's less roads to encounter.

Children are safer walking this way on their own when walking to the park, shop and school.

Older residents of Westbury close could walk this way to the shop but can no longer do so as they are unable to walk up the hill on the other route so it's taken away some independence.

This route has been used safely for many years by local residents.

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name [redacted]

Address [redacted]

Postcode CF63 1RD

Year of Birth [redacted]

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

[redacted] Cae Glas Barry, CF63 1RD
Dock view Road Barry 2009-2014

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

I can access the footpath from westbury close and ~~westbury close~~ walk through to Robbins lane

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1979 To until said fence was built

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

NO

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		✓				
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. Has the application route always followed the same course?

- Yes
 Don't know
 No

If no – how and when was the route altered?

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

Please see attached sheet (1)
approx 2-3 meters wide

6. What type of surface does the application route have? (for example grass, gravel, earth)
[For varying surfaces, please describe with reference to your map]

Grass, gravel

7. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

no

How long were they in place?

N/A

b. Gates [state locations, indicate whether locked – and when - and show on your map]

N/A

c. Other barriers [state what they were and location, how long they were in place and show on your map]

N/A

8. Did any of the above prevent you from using the application route?

No

Yes

If yes, please give details

.....
.....
.....

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

- No
- Yes
- Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....
.....
.....

10. Have you seen other people using the application route whilst you have been using it?

- No
- Yes

If yes, please provide any additional information about this

.....
.....
.....

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

- No
- Yes

If yes, provide details and dates

.....
.....
.....

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

- No
- Yes

If yes,

- a. From whom?
- b. When?

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

- No
- Yes

If yes, by whom and when?

.....
.....
.....

14. Have you ever been stopped or turned back when using the application route?

- No
- Yes

If yes, please give details including when this happened

.....
.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

- No
- Yes

If yes, please give details including when this happened

.....
.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

- No
- Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

- No
- Yes

If yes – please provide details

.....
.....
.....

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

See attached sheet (1)
.....
.....
.....



.....
.....

19. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

- Yes
- No

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

- Yes
- No