

PUBLIC RIGHTS OF WAY

DEFINITIVE MAP MODIFICATION ORDER APPLICATION PACK

INFORMATION and FORMS

SECTION 53 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981

Contents

Notes and Guidance	Pages.....1 - 3
Form A –Notes and Application Form	Pages.....4 - 7
Form B – Notes and Notice of Application	Pages.....8 - 10
Form C – Certificate of Service of Notice	Pages.....11
Form D – Notes and Application for Site Notice	Pages.....12 - 13
Form E – User Evidence Form	Pages.....14 - 17
User Evidence and Statutory Declaration notes	Pages.....18 - 19
Form F – Landowner Evidence Form	Pages.....20 - 24
Form G – Documentary Evidence Check List	Pages.....25

MODIFICATION ORDERS – NOTES AND GUIDANCE

The Definitive Map

A definitive map is a legal record of the public's rights of way in one of four categories: footpath, bridleway, restricted byway and byway open to all traffic.

- A footpath is a right of way on foot.
- A bridleway is a right of way on foot, on horseback and leading a horse (in addition, by virtue of section 30 of the Countryside Act 1968, pedal cyclists may also use bridleways).
- A byway open to all traffic is a right of way on foot, on horseback and in or on vehicles, including motor vehicles, motorbikes, and pedal cycles.
- A restricted byway is the same, but with no rights for mechanically propelled vehicles.

The Definitive Statement

A definitive map is accompanied by a definitive statement which describes the location of each right of way and may in some cases define the width.

The 'relevant date'

Both the definitive map and statement have a 'relevant date'. The evidence provided by these records of the existence of public rights of way is evidence that they existed at that date.

The Definitive Map for the Rotherham Borough

By law, Rotherham Borough Council has a duty to keep the definitive map and statement under continuous review, this involves adding, extinguishing, diverting and upgrading or downgrading the ways within the borough.

What if the Definitive Map is wrong or incomplete?

Any member of the public may make an application to modify the definitive map if they believe it to be incorrect. Such an application would have to be accompanied by the relevant evidence on which the argument is being based. We will then deal with the matter and make an assessment, on the balance of probabilities, as to the correct status of the route(s). Whatever decision is made can be appealed against, and the matter would then ultimately be resolved by the Secretary of State.

The process can be lengthy.

Such evidence would normally consist of a mixture of usage and documentary, although strong cases can be built with only one type of evidence. **Usage** is basically 'have people used the path as if it were a right of way of a particular status?' if they have done so for 20 years or more, and there has been no, or little, counter evidence to show that the landowners have made it clear that they did not intend the way to become a footpath, then this is likely to result in a footpath modification order. **Documents** include old maps, such as tithe maps, enclosure awards and estate plans.

Unfortunately, although this may seem simple, the legislation concerning the establishment of public rights of way is one of the most complex areas of English

Law, with thousands of cases constantly setting precedents. It is an area of law hotly contested right up to the Court of Appeal. So, what might seem, at the outset, a straightforward black and white issue, generally gets greyer fairly quickly.

What modifications can be made to the map?

Public rights may exist over a way not shown on the map at all, or additional rights may exist over a way shown on the definitive map, even though they are not recorded there. Similarly, a right of way may have been included on the map in error or with the wrong status, perhaps incorrectly being recorded as a bridleway when it was only a footpath. The procedures set out in the Wildlife and Countryside Act 1981 allow an authority to make “definitive map modification orders” to amend the map so as to correct any error or omissions **but only where there is new evidence to support the claim.**

The changes that can be made are:

- DELETION of a public right of way
- ADDITION of a public right of way
- UPGRADING of a footpath or bridleway
- DOWNGRADING of a bridleway or byway
- VARIATION OF THE DEFINITIVE STATEMENT or other particulars

Gathering evidence to support your claim

The evidence needed to prove your case will be one, or both, of the following:

1. Documentary Evidence such as old maps, estate documents, property deeds, tithe maps or enclosure awards often show public rights of way although these are not necessarily conclusive. The local record office may be able to offer advice on what documents are available which cover your area. Old photographs and guidebooks can also be useful.

2. Statements from people who have used the route (user evidence) in question are probably the most useful evidence. Form E is available for this purpose although any written statement from an individual could be helpful. It is important to advise people who complete statement forms that they may be asked to give evidence in person at a public inquiry if the claim is challenged, and that their forms will become public documents. As many forms as possible should be submitted, with a marked map attached to each form, signed by the witness, indicating the exact route used.

Applying for a modification order

To apply for a modification of the definitive map you must do four things:

- Identify on a map the route of the right of way in question (see below).
- Complete an application form (Form A) giving details of your claim and attach copies of your supporting evidence (using Form G for guidance).
- Notify all the landowner(s) and occupier(s) affected by your claim that you are applying for a modification order, using Form B (and possibly Form F).
- Complete Form C to certify to us that you have notified the relevant people.

Maps

Clearly mark on a map the route of the path or way which is the subject of your claim. By law, this should not be less than 1:25,000 (2 ½ inches to 1 mile) but 1:10,000 or 1:2,500 is preferable to avoid any confusion. It is recommended that you use an Ordnance Survey map, available from normal retail outlets and OS agents.

The Definitive Map may be inspected free of charge at Riverside House. Copies may be supplied subject to the current scale of charges.

Serving Notice on Landowners

You must serve notice of your application on every one of the landowners and occupiers affected through one of the methods suggested on the reverse of Form B. Failure to do so will invalidate the application.

You need to identify all the owners and occupiers of all land to which the application relates (this includes anyone that has land next to it, if it is a bounded loaning, and anyone who may have access along it). You can find much relevant information from the Land Registry, or by simply asking around the locality.

If you cannot trace the landowner or occupier, you should complete Form D giving full details of the steps you have taken in doing so. The authority may (or may direct you to) affix a notice in some conspicuous place(s) or to some conspicuous object(s) on the land, addressed to the owner or occupier.

Landowners

If the landowner(s) themselves can provide relevant evidence, please ask them to complete Form F. Or send this to them with Form B.

The application should then be forwarded to The Public Rights of Way Team, Streetpride, Rotherham Metropolitan Borough Council, Riverside House, Main Street, Rotherham, S60 1AE.

Before you apply:

We suggest that you phone us on 01709 254481 to discuss your application (or by email on rightsofwayissues@rotherham.gov.uk). It may help you to avoid some pitfalls, and we can check our records to make sure it hasn't already got some public rights, or already been assessed.

References:

- Wildlife and Countryside Act 1981 Part III, Sections 53 – 58 & Schedule 14 & 15
- Wildlife and Countryside Act 1981 Part III, Section 70(a) www.legislation.gov.uk/ukpga/1981/69/part/III
- The Wildlife and Countryside (Definitive Maps and Statements) Regulations 1993 (SI 1993 No. 12) www.legislation.gov.uk/uksi/1993/12/contents/made
- A guide to definitive maps and changes to public rights of way, Natural England <http://publications.naturalengland.org.uk/publication/31038>

FORM A – NOTES FOR GUIDANCE
[Please read carefully]

1. TO THE APPLICANT

1.1 Schedule 14 to the Wildlife and Countryside Act 1981 establishes a procedure whereby applications may be made to the surveying authority (Rotherham Borough Council) for a modification to be made to the Definitive Map and Statement of rights of way. A number of forms are involved in the procedure and it is important that you comply with the various guidelines included with this pack to avoid invalidating your application.

2. APPLICATION FORM – FORM A

2.1 This form, correctly completed, describes the modification that is being sought for the map. You should read through all the options and decide which is the most appropriate. Definitions of the different types of right of way are given below. If (b) describes your proposed modification for example, you should cross through the other options and then complete (b) in full. An example is given below:

(b) ~~Adding the footpath/bridleway/restricted byway/byway open to all traffic*~~
From:Rotherham Close.....[SK 2345 6789].....
To:.....Sheffield Close.....[SK2367 4745].....

2.2 Definitions

See guidance at front of application pack.

2.3 Map

One of the most important requirements of this form is for a map, with the subject route of the application marked clearly and precisely. The scale should be not less than 2 ½ inches to 1 mile, or 1:25,000. However, you are strongly advised to use a larger scale such as 1:10,000 or, ideally, 1:2,500. If you are submitting more than one application, a separate map will be required for each route.

2.4 Documentary Evidence

The Schedule requires that an application should be accompanied by copies of any documentary evidence (including statements of witness) which the applicant wishes to present in support of the application. Copies of documents should include certified photocopies (coloured photocopies where the originals are coloured or the detail unclear) or photographs. Exemption will be made where photocopying or photography is prohibited by the document custodian, but this should be confirmed in writing. The documents submitted in evidence should be listed, together with their sources and reference, on Form A. Form G will also be of use.

3. DETERMINATION OF APPLICATION

If the Rotherham Borough Authority has not determined the application within 12 months of receipt of Form A the applicant may refer the matter to the Secretary of State and he/she, after consulting the Authority, may direct the

latter to determine the application within a specified period. Appeal may also be made to the Secretary of State and the Authority within 28 days if the latter decides not to make an order.

FORM A
 APPLICATION FOR A MODIFICATION ORDER
 The Rotherham Borough Council Definitive Map and/ or Statement
 Wildlife and Countryside Act 1981

To: *Rights of Way, Streetpride, Rotherham MBC, Riverside House, Main Street, Rotherham, S60 1AE*

I/We, (Insert your name)

Of

.....(Insert your address)

Hereby apply for an order under section 53(2) of the Wildlife and Countryside Act 1981 modifying the definitive map and/ or statement for the area by (choose appropriate section from below and give grid references if possible):

(a) **Deleting** the *footpath/bridleway/restricted byway/ byway open to all traffic**

From:.....

To:.....

(b) **Adding** the *footpath/bridleway/restricted byway/byway open to all traffic**

From:.....

To:.....

(c) **Upgrading/Downgrading*** the *bridleway/restricted byway/byway open to all traffic**

From:.....

To:.....

(d) **Varying/adding to*** the particulars relating to the *footpath/bridleway/ restricted byway/ byway open to all traffic**

From:.....

To:.....

By:.....

And shown on the map accompanying this application

I/We **attach copies** of the documentary evidence [including statement of witness] in support of this application as listed overleaf.

Signed.....[Applicant(s)]

Date.....

(* Please delete as appropriate)

Notes

For historical evidence it is essential to know the date, author, purpose and present whereabouts of the documents listed. Please give as much information as possible.

Documentary Evidence in support of application (including witness statements).

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Other Relevant Information

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I/We enclose with this application

- A map clearly showing the route(s) referred to in this application at a good scale
- Copies of documentary evidence to support this application, as listed above.
- User evidence (Form E) to support this application, all with a map and signed.
- A completed form to certify that I/we have served notice on all landowners and occupiers affected by this application (Form C), or a letter explaining why I/we have been unable to ascertain the landowners/occupiers affected by this application and that identifies the steps I/we have taken to find this information (Form D)

FORM B – NOTES FOR GUIDANCE
[Please read carefully]

1. TO THE APPLICANT

- 1.1 These notes are for your guidance and help in applying to the Authority for an order modifying the definitive map of public rights of way.
- 1.2 In order to comply with the legal requirement it is necessary for you, the applicant, to send one of these notices to every owner and occupier affected by the proposed modification. You should use one of the following methods. Failure to do so will invalidate the application.
- a. By personal delivery to the person on whom it is to be served or to whom it is to be given; or
 - b. By leaving it at the usual or last known place of abode of that person or, in a case where an address for service has been given by that person, at that address; or
 - c. By sending it in a prepaid registered letter, or by the recorded delivery service, addressed to that person at his usual or last known place of abode, or, in a case where an address for service has been given by that person, at that address; or
 - d. In the case of an incorporated company or body, by delivering it to the Secretary or clerk of the company or body at their registered or principle office, or sending it in a prepaid registered letter, or by the recorded delivery service, addressed to the Secretary or clerk of the company or body at that office
- 1.3 Once you have completed this step, you should complete the certificate (Form C) to confirm to the Authority that you have carried out your legal obligation.
- 1.4 If you cannot trace the landowner or occupier, you should write to Rotherham Borough Council giving full details of the steps you have taken in doing so using Form D.
- 1.5 Once notice has been served on all interested parties you should complete the Certificate of Service of Notice of Application, Form C, sign and date the form, and return it to the address given at the top of Form A. Guidance on how to complete the Notice of Application is given below:

2. COMPLETION OF NOTICE

- 2.1 The name and address of the individual affected by the proposal should be entered. Separate notices should be sent to all interested parties, and a list of names and addresses of all those on whom notice was served should be included on Form C.
- 2.2 The date on Form A of your modification application form should be entered, together with your name and address.
- 2.3 The modification being requested should be described; this will be identical to the details filled out on Form A.
- 2.4 Sign and date Form B and send to the individuals named.

3. TO THE RECIPIENT (owner / occupier)

- 3.1 If you should receive a Notice of Application for a modification order it means that someone is proposing a change to the public rights of way on land in which you may have an interest. The Authority will contact you to discuss the proposal, but not necessarily immediately. If you have any queries relating to the application, please contact Rotherham Borough Council on 01709 254481 or rightsofwayissues@rotherham.gov.uk You may well have also been sent a Form F, which you should complete and return.
- 3.2 **This notice has been served on you by the person names overleaf, not by Rotherham Borough Council.**

FORM B

 NOTICE TO LANDOWNER OF APPLICATION FOR A MODIFICATION TO THE

 DEFINITIVE MAP AND STATEMENT

 The Rotherham Borough Council Definitive Map and/ or Statement

 Wildlife and Countryside Act 1981

To:.....(Insert name of landowner)

From:.....

(Insert address of landowner)

Notice is hereby given that on the(Insert date)

 I/We.....(Insert your name)

 Of.....

(Insert your address)

Have made an application under section 53(2) of the Wildlife and Countryside Act 1981 to modify the definitive map and/ or statement for the area by (choose appropriate section and give grid references if possible):

(a) **Deleting** the *footpath/bridleway/restricted byway/ byway open to all traffic**

 From:.....

 To:.....

(b) **Adding** the *footpath/bridleway/restricted byway/byway open to all traffic**

 From:.....

 To:.....

(c) **Upgrading/Downgrading*** the *bridleway/restricted byway/byway open to all traffic**

 From:.....

 To:.....

(d) **Varying/adding to*** the particulars relating to the *footpath/bridleway/ restricted byway/ byway open to all traffic**

 From:.....

 To:.....

By:.....

And shown on the map accompanying this application

Signed.....[Applicant(s)]

 Date.....

(* Please delete as appropriate)

FORM C
 CERTIFICATE OF SERVICE OF APPLICATION
 FOR MODIFICATION ORDER
 The Rotherham Borough Council Definitive Map and/ or Statement
 Wildlife and Countryside Act 1981

To: Public Rights of Way
 Streetpride
 Rotherham MBC
 Riverside House
 Main Street
 Rotherham
 S60 1AE

I/We,.....(Insert your name)

Of.....

.....(Insert your address)

Hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with in relation to the attached application.

Signed.....

Date.....

NOTES FOR GUIDANCE

This certificate should only be completed when notice of the application has been served on all owners and occupiers affected by the proposal. A list of the names and addresses of all individuals notified should be provided below. Please indicate if you have been unable to identify all owners' ad occupiers affected by the proposal.

Notice of Application Sent To:

Name	Address
1)
2)
3)
4)
5)
6)

FORM D – NOTES FOR GUIDANCE

Application for Permission to Notify Landowners by Site Notice

Wildlife and Countryside Act 1981

1. It is a requirement of Paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 that an applicant for a Modification Order shall serve a Notice stating that the application has been made of every owner and occupier of any land to which the application relates.
2. The form of Notice, defined by the regulations, is set out in the Authority's Form B, which should be addresses and sent to every owner and occupier of the land over which the alleged way runs.
3. It is the duty of the applicant to investigate the ownership and occupation of the land so that the necessary Notice may be served.
4. Where it proves impossible for the applicant to discover the owner and occupier, **if after reasonable enquiries have been made**, the Authority is satisfied that it is not practicable to ascertain the name and address of all the owners or occupiers, the Authority may direct that the notice may be served by addressing it to the owner or occupier of the land [describing it] and by affixing it to some conspicuous object or objects at either end of the route concerned.
5. Before the Authority can direct that a notice be posted on the land, the Authority must be satisfied that reasonable enquiries have been made. The applicant must, therefore, give details of the enquiries made, which may be conveniently done by completing the details overleaf [Form D]
6. Failure to serve Notice on any owner and occupier may invalidate the application

FORM D

 CERTIFICATE OF SERVICE OF APPLICATION

 FOR MODIFICATION ORDER

 The Rotherham Borough Council Definitive Map and/ or Statement

 Wildlife and Countryside Act 1981

To: Public Rights of Way

 Streetpride

 Rotherham MBC

 Riverside House

 Main Street

 Rotherham

 S60 1AE

PATH LOCATION DETAILS:

PARISH:

CLAIMED STATUS OF WAY:

Footpath / Bridleway / Restricted Byway / Byway Open To All Traffic

[Delete as appropriate]

DESCRIPTION OF PATH *[include a map]:*

FROM:.....

TO.....

I/We,.....(Insert your name)

Of,.....

.....

.....(Insert your address)

Have carried out an investigation in an attempt to discover the owners and occupiers

 of the land over which the alleged way runs. I have made enquiries of: *[delete those that

 are not applicable]*

- Adjoining landowners
- Local inhabitants
- Post Office
- Parish Council(s)
- Register of Electors
- Land Registry
- Other appropriate sources *[please state below]*.

.....

.....

I have been unable to discover ownership of the land, and I request the council to

 direct that Notice may be served by posting said notices at either end of the way

 claimed.

Signed.....**Date**.....

ROTHERHAM METROPOLITAN BOROUGH 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 Rotherham (“the Definitive Map”).
- This form is designed for use by anyone who has personal knowledge about public use of
(1) any route in Rotherham 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.
- 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.
- Once completed and collected, please send the forms to Public Rights of Way, Streetpride, Riverside house, Main Street, Rotherham, S60 1AE

Personal Details

Please use **BLOCK CAPITAL LETTERS**

Full Name Date of Birth

Address

.....

Telephone No E-mail

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

Signed Date

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.

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.....
.....

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?

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 In/on a motor vehicle
On horseback Other, please specify
On a pedal cycle

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

On foot In/on a motor vehicle
On horseback Other, please specify
On a pedal cycle

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

To visit places on the route As part of a longer journey

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) How have you used the route, and during which years, and approximately how frequently have you used the route? (please complete as appropriate and tick the appropriate box)

On foot Year from to
Daily Weekly Monthly Less than monthly

On horseback Year from to
Daily Weekly Monthly Less than monthly

On pedal cycle Year from to
Daily Weekly Monthly Less than monthly

In/on motor vehicle Year from to
Daily Weekly Monthly Less than monthly

Other method (Please specify)
Year from to
Daily Weekly Monthly Less than monthly

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

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If your frequency of use of the route changed over time, please describe how:-

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.....

Further information

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

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b) Do you recall any stiles or gates on the route? If so, give details of where they were and when they were present, and mark their positions (S for stile, G for gate) on any plan attached.

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

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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.

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

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

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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.

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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

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

Public Rights of Way Team
Streetpride
Rotherham Metropolitan Borough Council
Riverside House
Main Street
Rotherham
S60 1AE

Telephone: 01709 254481 Email: rightsofwayissues@rotherham.gov.uk

PUBLIC RIGHTS OF WAY
FORM E – USER EVIDENCE FORM AND STATUTORY DECLARATION FORM
GUIDANCE NOTES

WILDLIFE AND COUNTRYSIDE ACT 1981

1. FORM E is referred to as a User Evidence form. It should be completed by people who have used the route being claimed. Form E (stat) is very similar, except that it is called a Statutory Declaration and will need to be witnessed by either a Commissioner for Oaths, Solicitor or Magistrate (contact Rights of Way, Rotherham MBC if you need a copy). Inspectors at Public Inquiries will generally place greater weight on Statutory Declarations than on unsworn User Evidence forms. Both forms should be personally completed by the witness.
2. All questions must be answered.
3. The usual method of providing evidence for the addition or upgrading of a claimed way, is for witnesses to testify their use to help comprise 20 or more years of uninterrupted use of the way prior to the date that the public right was brought into question, believing that they had the right to do so, pursuant to Section 31 of the Highways Act 1980, which states:-
 - a. *“Where a way over any land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as a right and without interruption for a full period of 20 years, the way is to be deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it.*
 - b. *The period of 20 years referred to in sub-sub-section (1) above is to be calculated retrospectively from the date when the right of the public to use the way is brought into question, whether by notice or otherwise”.*
4. It is important that the way is shown to follow a defined route and not be an area over which the public have wandered at large.
5. The witness may be personally interviewed in connection with the information given in the forms.
6. The details contained in forms may be used as evidence in future proceedings, and the witness should be prepared to support the information by being willing to attend to give verbal evidence read from a prepared statement, at a later date at any local Public Inquiry which may be arranged.
7. A landowner can successfully refute a claim for the addition of a way if he/she can prove that either the way was used with his/her express permission only, or that he/she has prevented access to the way, or that he/she has erected notices to counter any suggestion that there had been intention to dedicate the way as a public right of way.
8. A map clearly showing the route of the alleged way should be attached to the forms. The map should preferably be at a scale of 1:2,500 or 1:10,000 and should be signed by the witness to confirm that it has been seen and understood.

PLEASE ATTACH A SEPARATE SHEET WITH ANY OTHER INFORMATION WHICH YOU CONSIDER WOULD BE HELPFUL IN REACHING A DECISION AS TO WHETHER OR NOT A MODIFICATION ORDER SHOULD BE MADE.

FORM F
LANDOWNER INFORMATION FORM

When a dispute arises over whether a public right of way exists, we need to research all the evidence on both sides of the argument. It is important that you answer all the questions accurately and as fully as possible. This is of special importance as this form, and the information given on it may be examined at a Public Inquiry.

This will help us decide if the route should be recorded at all, and if so, whether it is a public footpath, bridleway or byway. Please use this form to tell us about your own knowledge of the route.

Return to whoever asked you to complete the form, or: Public Rights of Way, Streetpride, Rotherham MBC, Riverside House, Main Street, Rotherham S60 1AE.

Full Name:.....

Address:.....

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E-mail:.....

Telephone:.....

How long have you owned or rented the land in question, and what extent of the land do you own or rent? (please also show this on the map).

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If you are a tenant, who is the owner and how long have you rented the land OR if you are the owner, has anyone tenanted the land from you, and how long for? Who were the previous tenants, if possible going back to the 1920's.

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What were the terms of the tenancy agreement? For example, were there any conditions in it relating to rights of way. If do, please supply a copy.

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Usage by the public

What was your view of the route, for example, did you consider it to be a public path?

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Are you aware of members of the public using the route?

- No
- Yes

If so, please provide information on things such as; how they used it (on foot, horseback, bicycle), how often, how many people and so on.

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Did you take any steps to stop people using the route?

- No
- Yes

If so, what did you do? Please provide information on; what steps you took, how often you took these steps, were any challenges limited to people you did not know, whether any signs were put up, and so on. Please also say, in as much detail as possible, how often you took these steps, and between which years (continue on a separate sheet if necessary)

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Did you ever give anyone permission to use the route?

- No
- Yes

If so, when and who.

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Stiles and Gates

Were you responsible for any stiles or gates on the route?

- No
- Yes

If so, did you ever maintain them? Please provide information on when and so on.

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How long have the stiles been there, and have they ever been barred to users?

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Signs

Please give information about any temporary signs that may have been on the route, for instance, who erected them, what did they say, when were they first erected, how long did they last, and any other useful information about them.

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Please provide any other information that you think may help us resolve this matter (please continue on a separate sheet if necessary)

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DECLARATION

To the best of my knowledge and belief, the facts I am stating here are true.

Signature..... Date.....

Witnessed by..... Date.....

Address.....

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FORM G
 CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION
 FOR MODIFICATION ORDER
 The Rotherham Borough Council Definitive Map and/ or Statement
 Wildlife and Countryside Act 1981

To: Public Rights of Way
 Streetpride
 Rotherham MBC
 Riverside House
 Main Street
 Rotherham
 S60 1AE

PATH DETAILS:

PARISH:

BELIEVED STATUS OF WAY: Footpath / Bridleway / Restricted Byway
[Delete as appropriate]

FROM:.....

TO:.....

I/We,.....(Insert your name)

Of,.....

.....(Insert your address)

Have carried out research at the County Records Office, the County Council Rights of Way Department and/ or Public Records Office and wish the following documents to be considered in support of my application [see note on reverse of Form A]:

Document [delete as appropriate]	CRO/PRO Reference
Enclosure Award and Map	
Tithe Apportionment and Map	
Finance Act Maps	
Ordnance Survey Maps	
Railway/ Canal Survey Maps and Schedules	
Estate Maps and Records	
Parish Council and Highway Board Minute Books	
Definitive Map Records	
Others [please state].....	
.....	

Signed:..... **Date:**.....