



## **Landowner/occupier evidence form (or those with an interest in the land) for claimed right of way.**

**Wildlife And Countryside Act – Section 53  
Highways Act 1980 – Section 31**

Guidance notes – please read.

1. Please use this form to give us your evidence. This relates to where a claim has been made for a public right of way in Bracknell Forest that's not recorded on the Definitive Map and Statement, but is claimed to exist; or any route for which a public right of way is claimed to be recorded incorrectly (e.g. type or position). See our separate guidance notes on this process.
2. Please complete all sections of the form, answering the questions as fully as possible. Do not keep back any information as all evidence is of real value in establishing the status of a right of way. If you cannot remember any details, please write that you cannot remember. You should attach a plan showing the route to be claimed.
3. The evidence will form part of a Definitive Map claim. These are usually led by a resident, town/parish council or local interest group. We will consider all relevant evidence available, including completed landowner and user evidence forms. We will use this to reach the truth of the matter whatever that may be. If we make 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.
4. If completing the form by hand, please use BLOCK CAPITALS.
5. A separate form will need to be completed for each piece of evidence being submitted.
6. The information provided will only be processed for the purpose of determining the Definitive Map claim and for no other purpose. In some cases, we will be legally required to allow other persons to have access to completed forms and documents relating to a Definitive Map claim. This means that your personal details could become accessible to the public. We are committed to protecting your personal data and ensuring that it is processed fairly and lawfully. Information you provide to us will be processed in accordance with the General Data Protection Regulations, The Data Protection Act 2018 and subsequent legislation. The basis on which we process your information is in accordance with the legal obligation under the Wildlife and Countryside Act 1981. See our privacy notice.
7. Please send your completed form to us by email or post.

## **About you / other landowners**

1. Complete your personal details:

Name:

Address:

Tel no.

Email

2. Are you the landowner, tenant or occupier of the land affected by the application? Please select one option and then provide further details.

Landowner:

Occupier:

Tenant:

Other interest in land:

3. Did you receive a Notice that an application to modify the Definitive Map had been lodged with Bracknell Forest Council?

Yes          No

4. How long have you personally owned / occupied the land?  
Please specify length of time

5. Has the land been within family ownership for any length of time?

Yes          No

If yes, please provide details.

6. How long have you lived in the local area?  
You only need to provide details if this differs from the answer you gave in question number 3. above.

7. To your knowledge are there any other landowners, occupiers or tenants affected by the application?

Yes          No

If known to you, please provide the names and addresses of other landowners / occupiers (present or previous) whom you believe may have an interest in the land crossed by the claimed route.

Other landowners/occupiers:

Name	Address	Period of ownership or occupation

8. Have you any tenants or has anybody else any interest in your land?  
Yes No

9. If known to you, please provide the names and addresses of any tenants (present or previous) whom you believe may have an interest in the land crossed by the claimed route.

Name	Address	Period tenancy

**Public use of claimed route.**

10. Are you aware of public use of the claimed route?

Yes No

Please provide details

11. Do you dispute the application?

Yes No

If yes, please explain why?

### **Restrictions / obstructions in use of the claimed route**

12. Have you ever erected and maintained barriers or other works on the claimed route?

Yes    No

If yes, please provide details of when, where and why.

13. Were these ever renewed/maintained?

Yes    No

If yes, please provide details

14. Have you ever erected and maintained any notices on the claimed route?

Yes    No

If yes, please provide details of when, where and why and what the notice stated.

15. Were these ever renewed/maintained?

Yes    No

Please provide details

16. Could you produce evidence of any barriers, other works or notices, such as photos, invoices, etc.?

Yes    No

Please provide details (including dates).

17. Can you think of any other reason during the period of the application why the route could not have been used by the public?

Yes    No

Please provide details

18. Have you ever instructed anyone to deter public use?

Yes    No

If Yes, who and when?

19. Have you ever provided anyone with permission to use the claimed route?

Yes                      No

If yes, who and when?

20. Are you aware of any documentation, e.g. Property Deeds / Land Registry Documents / Estate Plans, or any other documentary evidence, which could assist in negating the application?

Yes                      No

Please provide details

21. Have you or your predecessors ever lodged a Deposit under Section 31 (6) of the Highways Act 1980 or previous enactments with the County Council?

Yes                      No

Please provide details

22. If there is any further information that you would like to make please use a separate page (this can include any historical evidence, photographs etc).

Yes                      No

23. If necessary, would you be willing to attend a Public Inquiry to give evidence on this matter?

Yes                      No

**Certification**

**PLEASE NOTE - The information given on this form may come into the public domain and therefore information provided cannot be treated as confidential.**

I ..... hereby certify that to the best of my knowledge and belief the facts I have stated are true and this questionnaire contains an accurate record of those facts.

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

Name of person taking the statement (print).....

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