

## **CLAIMING A PUBLIC RIGHT OF WAY GUIDANCE NOTES USER EVIDENCE FORMS**

The purpose of the attached User Evidence Form is to enable The Public Rights of Way Section to make an initial assessment of the user evidence and determine if there is sufficient evidence available to reasonably allege the existence of a public right of way.

In order for a path claim to proceed it is usually necessary to provide evidence of use by the public for at least twenty years. It is not necessary for every person completing a form to have used it for twenty years themselves. Use of a path for any period of time, however long or short, is acceptable as evidence.

If at any time you are unsure of how to complete the form please contact the Public Rights of Way Section on 0113 3782875, 0113 3782906 or 0113 3782890.

### **Completing Your User Evidence Form:**

- Please complete the form as an individual. If other family members have also used the path they should complete a separate User Evidence Form
- All sections of the form and map must be completed by the user. The applicant or coordinator should not complete any part of the form or map for other users
- Complete all sections of the form even if your answer is 'no', 'none' or 'can't remember'
- Provide as much detail as possible. For example, dates when you used a path or when it was blocked
- Sign and date the form. If someone else has filled in your form for you please get them to write their name and address in the space provided at the bottom of the form
- Show the full extent of the path that you have used on the attached map. Sign, date and print your name on the map
- If you wish to claim more than one path in the area please claim it separately by completing a separate User Evidence Form and map.
- Return the completed User Evidence Form and map to the person Co-ordinating the claim.

### **What Happens Next?**

Applications are dealt with in order of receipt and in line with Leeds City Council's Statement of Priorities. Therefore investigations into the claim may not commence immediately. You may be contacted again for further information or evidence when the claim is investigated.

Once we have examined all the available evidence from users, landowners and documents we will make a decision, following a public meeting as to whether or not to make a Modification Order.

If a Modification Order is made there will be an opportunity to object. If none are received the Modification Order will be confirmed and the path will become a legal right of way. If objections are received the Order will be forwarded to the Secretary of State for Environment, Food and Rural Affairs who will normally appoint a Planning Inspector to hold a Public Inquiry and determine the Order. If a Public Inquiry is held you will be able to attend the Public Inquiry and provide evidence in support of the path.

Please note that the evidence you provide may be inspected by the owner(s) or occupier(s) of the land and other interested parties.