



Cheshire West
and Chester

To be added to evidence for Ness Acre Lane Application
for modification order

FORM E

For official use

Date received: 5

Application No:

Wildlife and Countryside Act 1981

Cheshire West and Chester Borough Council User Evidence Form

Please state "Yes" and "No" where applicable, and answer all questions as fully and accurately as possible. The object of this questionnaire is to get to the truth of the matter, whatever it may be. All evidence is open for public inspection and may be viewed by landowners.

Name.....

Address.....

Occupation.....

Daytime telephone number.....

Age or Date of birth (please complete this, it is essential to our enquiries) 06.12.63.

Describe the path that you have used, including where from and to. (Please be as detailed as possible) and include a sketch the route with any relevant features or attach a plan that you have signed as having seen and agreed. There is room at the end for a plan.

THE PATH WAS A DIRT TRACK WITH HAND CORRE IN PLACES AND THE OLD POTT HOLE, IT COULD BE USED TO AVOID THE BIZZY VILLAGE CENTRE AND PROVIDE A SAFER ALTERNATE ROUTE, BY FOOT, BICYCLE AND HORSE BACK, ON OF THE LOCAL FARMERS - JACK POLLARD USED IT TO GAIN ACCESS TO AS THEN HIS FIELDS AND WOODCROFT FARM CONTINUED TO USE PART OF IT RESTRICTING ACCESS TO OTHERS. THERE IS ACCESS IF YOU HAVE A HORSE AT WOODCROFT AND THEY ARE ALLOWED TO GO THROUGH A PADLOCKED GATE WHERE THE PATH IS NOW OVERGROWN. IS THE BESTING "45 GALLON BARRELS" WERE USED TO RESTRICT ACCESS AND PEOPLE "TOLD OFF" BY MR GAVEN

1.(a) Has the route always followed the same alignment?

Yes/No

(b) Did you always follow the same route?

Yes/No

If the path changed course at any particular time, please indicate this on the plan and clarify when this change occurred.

845 GALLON BARRELS USED TO "BLOCK PATH".....

----- TENANTS OF WOODCROFT ALLOWED TO GO ACROSS LANDOWNERS FIELD WHERE PATH IS NOW OVERGROWN.

2. Have any features of the route changed during the time you have known it? Yes/No

If so, please provide details. "BLOCKED OFF" BARRICADE AND NOW OVERGROWN

3.(a) Is the route enclosed between boundaries?

Yes/No

(b) Did you use the whole width between the boundaries?

Yes/No

(c) If not, how much of the width is used?

A footpath is used on foot only;
 a bridleway is used on foot and on horseback and on a cycle;
 a restricted byway is used on foot, on horseback, on a cycle and by way of non-motorised vehicles (eg horse and trap);
 and byway open to all traffic is for all types of use.

4. Explain why you regard the route in question as a Public Footpath, Bridleway or Vehicular Highway

IT WAS USED BY MANY AS AN ALTERNATE ROUTE TO GO FROM NESTON ROAD TO WARRIL WAY OR BUCKLEY HALL JACK POLLARD USED IT TO GAIN ACCESS TO HIS FIELDS BEFORE HE SOLD THEM TO TRY FOR "POLLARD'S LANE" WHEN HE WAS A

5(a) Have you used it:-

*Years during which you used the path. The table below allows you to indicate separate periods of use.

FARAGE

	Yes	No	From	To	From	To	From	To
(i) on foot?	✓		1973	1979				
(ii) on horseback?	✓		1975	1979				
(iii) with a vehicle?		X						
(iv) on a bicycle?	✓		1974	1979				

(b) How many times a year, | |
 on average
 (or, for example, daily, weekly, monthly, occasionally)?

(c) Where were you going From? "WARRIL WAY"
 To? "DIPKEMPTON ROAD" → QUARRY ROAD + MILL HALL

(d) For what purpose(s)? ON RETURN FROM SCHOOL - BICYCLE TO AVOID VILLAGE CENTRE + PREVENT HORSE RIDING

(e) Did you use the route with other people, if so who with? Yes/No

~~THEY WERE NOT~~

6(a) Have you seen other people using the same route? Yes/No

(b) Were they on foot / horseback / in a vehicle / on a bicycle?

(tick as appropriate)

(c) Were they local and / or known to you?

Yes/No

7. On the route have there ever been stiles?

Yes/No

gates?

Yes/No

other furniture?

Yes/No

signs / notices?

Yes/No

obstructions?

Yes/No

Please give details and indicate them on the plan 000-000 "45 GARDEN" DRUMS WITH A GATE LEADING ON THEM WERE USED AS AN OBSTRUCTION TO BARRICADE ROUTE AND SINCE IT HAS BEEN ALLOWED TO BECOME OVERGROWN - RESTRICTING ACCESS

8. Please describe the surface of the route and if it has ever changed (e.g. been ploughed)

AND OLD FARM TRUCK

9. Have you ever

- (a) owned / occupied land over which the claimed path runs? **Yes/No**
 (b) worked for any owner / occupier of land affected by the claim? **Yes/No**
 (c) discussed the claimed route with the landowner / occupier? **Yes/No**
 (d) been related to/known any owner/occupier of the land concerned? **Yes/No**
 (e) had a private right to use the route in question? **Yes/No**
 (f) visited or delivered goods to anyone living along the route? **Yes/No**

Please provide any details, including the land affected, dates, tenancy / occupancy conditions, how well known (e.g. by sight only, acquaintance, good friend) and nature of private right (e.g. access to property).....

10. Have you ever

- (a) sought permission to use the route? **YES BUT AS A CHILD WE WERE "TOLD OFF"**
 (b) been given permission to use the route? **NO** **LATER DATED NOT TO USE ROUTE**

Please provide details, including dates and nature of permission.....

11. Have you ever

- (a) been challenged or told the route was not public? **Yes/No** (give details) **A Mr. CAMEAN USED TO CHALLENGE THOSE USING THE ROUTE**
 (b) known of anyone else who has been challenged or told the route was not public? **Yes/No** (give details).....
 (c) been seen by the landowner or anyone in their employment when using the route? **Yes/No** (give details) **IF SEEN CHALLENGED BY LANDOWNER**
 (d) stopped to talk to the landowner or anyone in their employment when using the route? **Yes/No** (give details) **WE WERE STOPPED FREQUENTLY AND TOLD TO REFRAIN FROM USING PATH IT WAS ALSO BARRICADED**

Please provide details, including dates and nature of challenge and nature of sightings by, or discussions with, landowner / employees **MID / LATE 1970'S CHALLENGED AND**

AS CHILDREN "TOLD OFF" FOR USING ROUTE OF ON BICYCLE WHEN RETURNING HOME FROM SCHOOL - NESTON COMPREHENSIVE OR HOUSE RIDING WITH FRIENDS / FAMILY AT WEEKENDS ON SCHOOL HOLIDAYS.

- 12.(a) Would you be willing to give evidence at a Public Inquiry? **Yes/No**
 (b) If not, would you be willing to make a declaration on oath as to the truth of the above information (Statutory Declaration)? **Yes/No**

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

Signed..... Dated **12.02.15**

Name of person taking statement (if completed by another person).....

Dated.....

Please return your user evidence form with the sketch plan to the person co-ordinating the application / gathering the evidence.

For further information contact the Cheshire West and Chester Borough Council,
Greenspace, Wyvern House The Drummer, Winsford, CW7 1AH

If you have any other information or documentary evidence (such as deeds, photographs
or plans, details of other people whom you know to have used the route, local names for
the route), please include details

Signed: 

Dated: 12.02.15

Sketch of the route

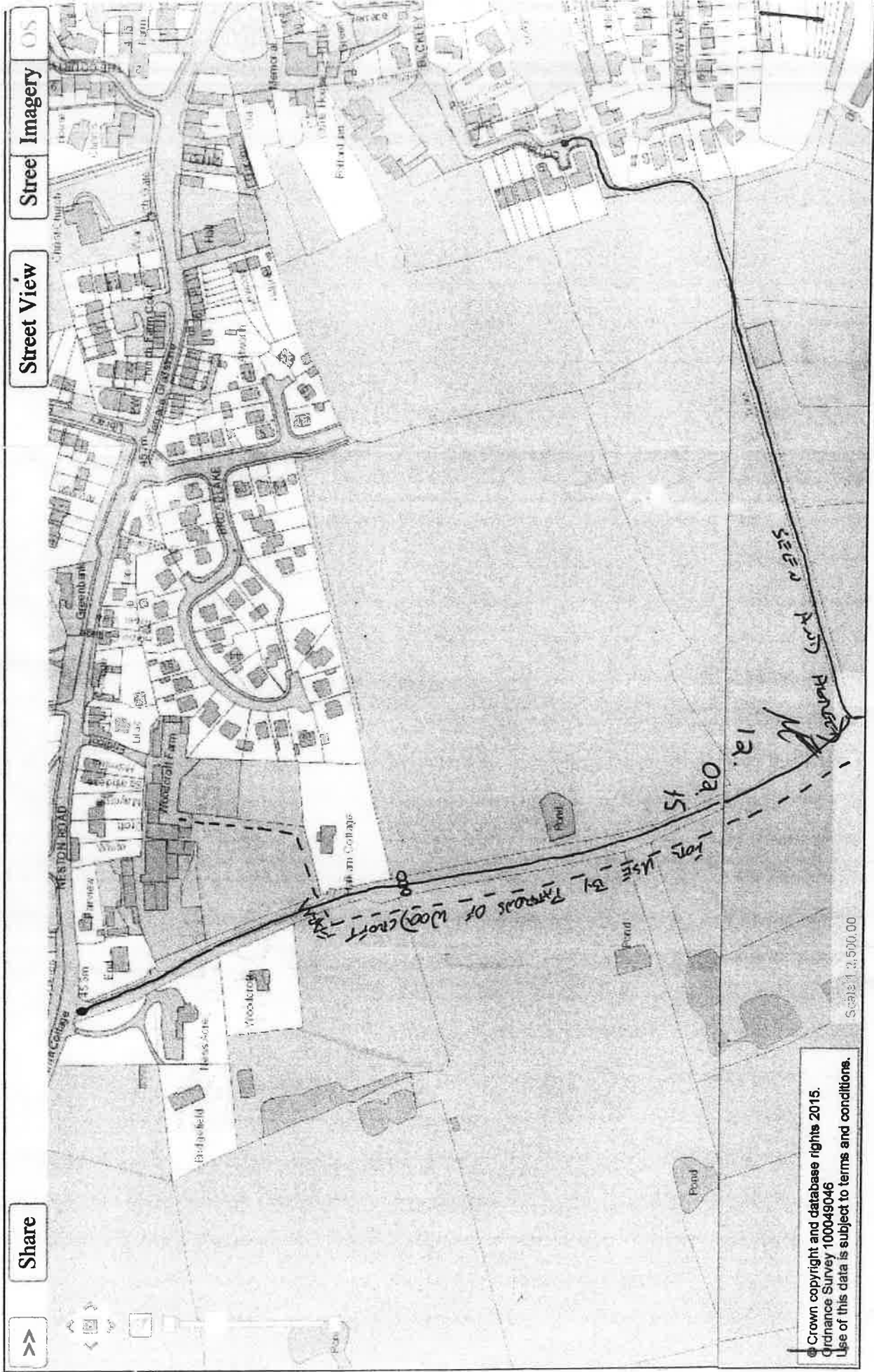
STREET VIEW ATTACHED

—— PATH USED : i) ON RETURN FROM NESTON COMPREHENSIVE
ON OCCASIONAL TEAM TIME DAYS
ii) TO TRAVEL ON HORSE BACK FROM
WIRRAL WAY OR BUCKLEY HALL
TO AVOID VILLAGE CENTRE
ON
8 "45 GALLON BARRIERS" USED TO RESTRICT ACCESS
BY SURROUNDING LAND OWNER

----- AN ALTERNATE ROUTE ON PRIVATE LAND
BY SAID SURROUNDING LAND OWNER FOR
USE OF CUSTOMERS AT HIS REAR STABLES
FOR ACCESS TO WIRRAL WAY TO AVOID
VILLAGE CENTRE AS JESS ACRE HALL
AT THIS POINT IS NOW DAYS OVERGROWN
DUE TO LACK OF USE.

- Interactive Mapping - Cheshire West and Chester

* SIGN & DATE



NESS ACRE LANE
WILLASTON.

FORM E

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Application No:

Wildlife and Countryside Act 1981

Cheshire West and Chester Borough Council User Evidence Form

Please state "Yes" and "No" where applicable, and answer all questions as fully and accurately as possible. The object of this questionnaire is to get to the truth of the matter, whatever it may be. All evidence is open for public inspection and may be viewed by landowners.

Name.....

Address.....

Occupation.....

Daytime.....

Age or Date of birth (please complete this, it is essential to our enquiries) ...11.10.1941.

Describe the path that you have used, including where from and to. (Please be as detailed as possible) and include a sketch the route with any relevant features or attach a plan that you have signed as having seen and agreed. There is room at the end for a plan.

From 1968 I regularly walked along a footpath starting in Jack Pollard's Farm. This led across his field and joined the footpath leading into Ness Acre Lane and then onto Neston Road (see attached maps)

1.(a) Has the route always followed the same alignment?

Yes/No

(b) Did you always follow the same route?

Yes/No

If the path changed course at any particular time, please indicate this on the plan and clarify when this change occurred.....

2. Have any features of the route changed during the time you have known it? Yes/No.

If so, please provide details. Early 1980's was gated and subsequently became overgrown.

3.(a) Is the route enclosed between boundaries?

Yes/No

(b) Did you use the whole width between the boundaries?

Yes/No

(c) If not, how much of the width is used?

Richard Stanton
Solicitor

a bridleway is used on foot and on horseback and on a cycle;
 a restricted byway is used on foot, on horseback, on a cycle and by way of non-motorised vehicles (eg horse and trap);
 and byway open to all traffic is for all types of use.

4. Explain why you regard the route in question as a Public Footpath, Bridleway or Vehicular Highway

On arrival in Willaston in 1968 I regularly walked along this Public Footpath, as did other local residents.

5(a) Have you used it:-

*Years during which you used the path. The table below allows you to indicate separate periods of use.

	Yes	No	From	To	From	To	From	To
(i) on foot?	✓		1968	early 1980s				
(ii) on horseback?		✓						
(iii) with a vehicle?		✓						
(iv) on a bicycle?		✓						

(b) How many times a year, Weekly
 on average

(or, for example, daily, weekly, monthly, occasionally)?

(c) Where were you going From? Stone Stack Hednes Rd. Willaston
 To? Neston Road via Ness Acre Lane
& vice versa (circular walk)

(d) For what purpose(s)? Dog walking

(e) Did you use the route with other people, if so who with?

Yes/No

6(a) Have you seen other people using the same route?

Yes/No

(b) Were they on foot / horseback / in a vehicle / on a bicycle?

(tick as appropriate)

(c) Were they local and / or known to you?

Yes/No

7. On the route have there ever been stiles?

Yes/No

gates?

Yes/No

other furniture?

Yes/No

signs / notices?

Yes/No

obstructions?

Yes/No

Please give details and indicate them on the plan

8. Please describe the surface of the route and if it has ever changed (e.g. been ploughed)

Rough grassy footpath leading onto hardcore track.

- (a) owned / occupied land over which the claimed path runs? Yes/No
 (b) worked for any owner / occupier of land affected by the claim? Yes/No
 (c) discussed the claimed route with the landowner / occupier? Yes/No
 (d) been related to/known any owner/occupier of the land concerned? Yes/No
 (e) had a private right to use the route in question? Yes/No
 (f) Visited or delivered goods to anyone living along the route? Yes/No

Please provide any details, including the land affected, dates, tenancy / occupancy conditions, how well known (e.g. by sight only, acquaintance, good friend) and nature of private right (e.g. access to property).....

10. Have you ever

- (a) sought permission to use the route? NO. Not necessary as it was a Public
 (b) been given permission to use the route? NO Footpath

Please provide details, including dates and nature of permission.....

11. Have you ever

- (a) been challenged or told the route was not public? Yes/No (give details).....
 (b) known of anyone else who has been challenged or told the route was not public? Yes/No (give details).....
 (c) been seen by the landowner or anyone in their employment when using the route? Yes/No (give details).....
 (d) stopped to talk to the landowner or anyone in their employment when using the route? Yes/No (give details).....

Please provide details, including dates and nature of challenge and nature of sightings by, or discussions with, landowner / employees.....

- 12.(a) Would you be willing to give evidence at a Public Inquiry? Yes/No
 (b) If not, would you be willing to make a declaration on oath as to the truth of the above information (Statutory Declaration)? Yes/No

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

Signed..... Dated 18 July 2015

Name of person taking statement (if completed by another person).....

Dated.....

Please return your user evidence form with the sketch plan to the person co-ordinating the application / gathering the evidence.

For further information contact the Cheshire West and Chester Borough Council, Public Rights of Way, Wyvern House The Drummer, Winsford, CW7 1AH

If you have any other information or documentary evidence (such as deeds, photographs or plans, details of other people whom you know to have used the route, local names for the route), please include details

Two maps attached:-

- ① 2015 Ordnance Survey map showing footpath (green)
- ② 1909 map showing footpath (yellow)

Signed:

[Redacted Signature]

Dated:

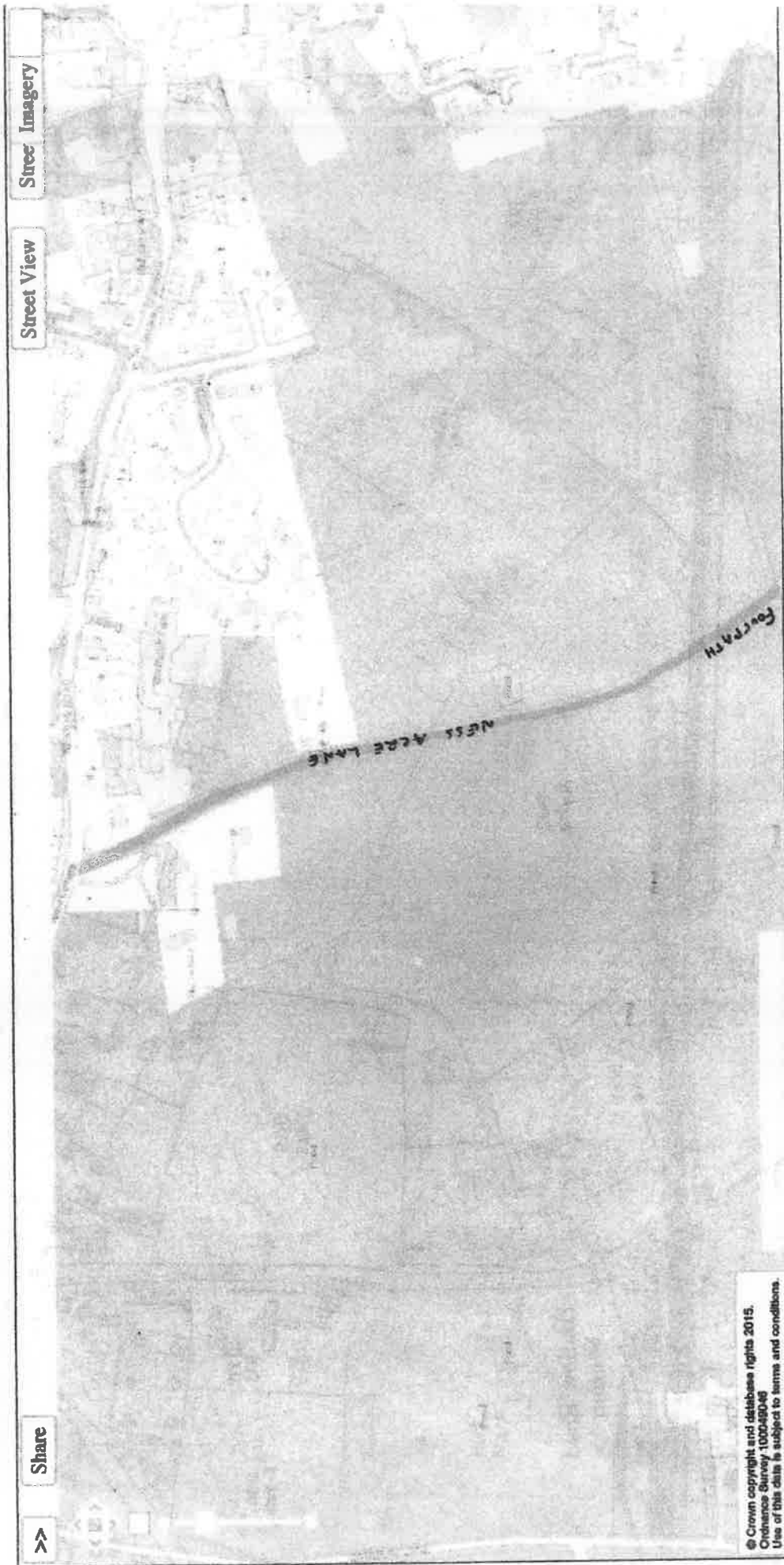
18/1/15

Sketch of the route

[Faint, mirrored text from the reverse side of the page, likely bleed-through from the other side of the paper. The text is mostly illegible but appears to be a continuation of the form's instructions or a duplicate of the form's content.]

Cheshire West & Chester Council

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- [Interactive Mapping - Cheshire West and Chester](#)



Cheshire West & Chester Council, HQ, Nicholas Street, Chester, CH1 2NP Tel: 0300 123 8 123

- [privacy policy](#)
- [terms and conditions](#)

[REDACTED]

18/7/15

Date received:
Application No:

Wildlife and Countryside Act 1981

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Name

Address

Occupation

Daytime telephone number

Age or Date of birth (please complete this, it is essential to our enquiries) ..6.5.....

Describe the path that you have used, including where from and to. (Please be as detailed as possible) and include a sketch the route with any relevant features or attach a plan that you have signed as having seen and agreed. There is room at the end for a plan.

I walked from my house which was at the time Little Gables, Hadlow Road, Willaston and followed Footpath 32 past the paddocks on the right and where the footpath now turns left towards the Wierall Way I turned right across the field to the end of less fence line.

1.(a) Has the route always followed the same alignment?

(b) Did you always follow the same route?

To the best of my
Yes No Knowledge
Yes No

If the path changed course at any particular time, please indicate this on the plan and clarify when this change occurred...The route has been blocked off.....

2. Have any features of the route changed during the time you have known it? Yes No.
If so, please provide details.....

3.(a) Is the route enclosed between boundaries?

(b) Did you use the whole width between the boundaries?

(c) If not, how much of the width is used?

Yes No
Yes No

 Richard Stanton¹
Solicitor

A footpath is used on foot only;
 a bridleway is used on foot and on horseback and on a cycle;
 a restricted byway is used on foot, on horseback, on a cycle and by way of non-motorised vehicles (eg horse and trap);
 and byway open to all traffic is for all types of use.

4. Explain why you regard the route in question as a Public Footpath, Bridleway or Vehicular Highway

I could freely use it without any obstruction

5(a) Have you used it:-

*Years during which you used the path. The table below allows you to indicate separate periods of use.

	Yes	No	From	To	From	To	From	To
(i) on foot?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1992	1995				
(ii) on horseback?	<input type="checkbox"/>	<input type="checkbox"/>						
(iii) with a vehicle?	<input type="checkbox"/>	<input type="checkbox"/>						
(iv) on a bicycle?	<input type="checkbox"/>	<input type="checkbox"/>						

(b) How many times a year, 11 on average
 (or, for example, daily, weekly, monthly, occasionally?)

(c) Where were you going From? Hedlow Road
 To? Nelson Road

(d) For what purpose(s)? To deliver Minutes of a Meeting

(e) Did you use the route with other people, if so who with? Yes ☒ No

6(a) Have you seen other people using the same route? Yes ☒ No

(b) Were they on foot / horseback / in a vehicle / on a bicycle? (tick as appropriate)

(c) Were they local and / or known to you? Yes/No

7. On the route have there ever been stiles? Yes/No

gates? Yes/No

other furniture? Yes/No

signs / notices? Yes/No

obstructions? Yes/No

Please give details and indicate them on the plan. I can't remember whether there were stiles or gates but I was unobstructed on the route.

8. Please describe the surface of the route and if it has ever changed (e.g. been ploughed)

I went across a field from Footpath 32 and into Ness Acre Lane and the lane was unsealed

9. Have you ever

- (a) owned / occupied land over which the claimed path runs?
- (b) worked for any owner / occupier of land affected by the claim?
- (c) discussed the claimed route with the landowner / occupier?
- (d) been related to/known any owner/occupier of the land concerned?
- (e) had a private right to use the route in question?
- (f) visited or delivered goods to anyone living along the route?

Yes/No
Yes/No
Yes/No
Yes/No
Yes/No
Yes/No

Please provide any details, including the land affected, dates, tenancy / occupancy conditions, how well known (e.g. by sight only, acquaintance, good friend) and nature of private right (e.g. access to property).... In about 1996 [redacted] informed me that I was on private property so I stopped using that route.

10. Have you ever

- (a) sought permission to use the route? No
- (b) been given permission to use the route? No

Please provide details, including dates and nature of permission.....

11. Have you ever

- (a) been challenged or told the route was not public? Yes/No (give details)..... See above Question 9.
- (b) known of anyone else who has been challenged or told the route was not public? Yes/No (give details).....
- (c) been seen by the landowner or anyone in their employment when using the route? Yes/No (give details)..... Not until 1996 See Question 9.
- (d) stopped to talk to the landowner or anyone in their employment when using the route? Yes/No (give details)..... Not until 1996 See Question 9.

Please provide details, including dates and nature of challenge and nature of sightings by, or discussions with, landowner / employees..... When I was approached by [redacted] in 1996 he asked whether I was aware I was on private property to which I replied No.

- 12.(a) Would you be willing to give evidence at a Public Inquiry? Yes/No
- (b) If not, would you be willing to make a declaration on oath as to the truth of the above information (Statutory Declaration)? Yes/No

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

Signed [redacted] Dated 20/08/18

Name of person taking statement (if completed by another person).....

Dated.....

Please return your user evidence form with the sketch plan to the person co-ordinating the application / gathering the evidence.

For further information contact the Cheshire West and Chester Borough Council, Public Rights of Way, Wyvern House The Drumber, Winsford, CW7 1AH

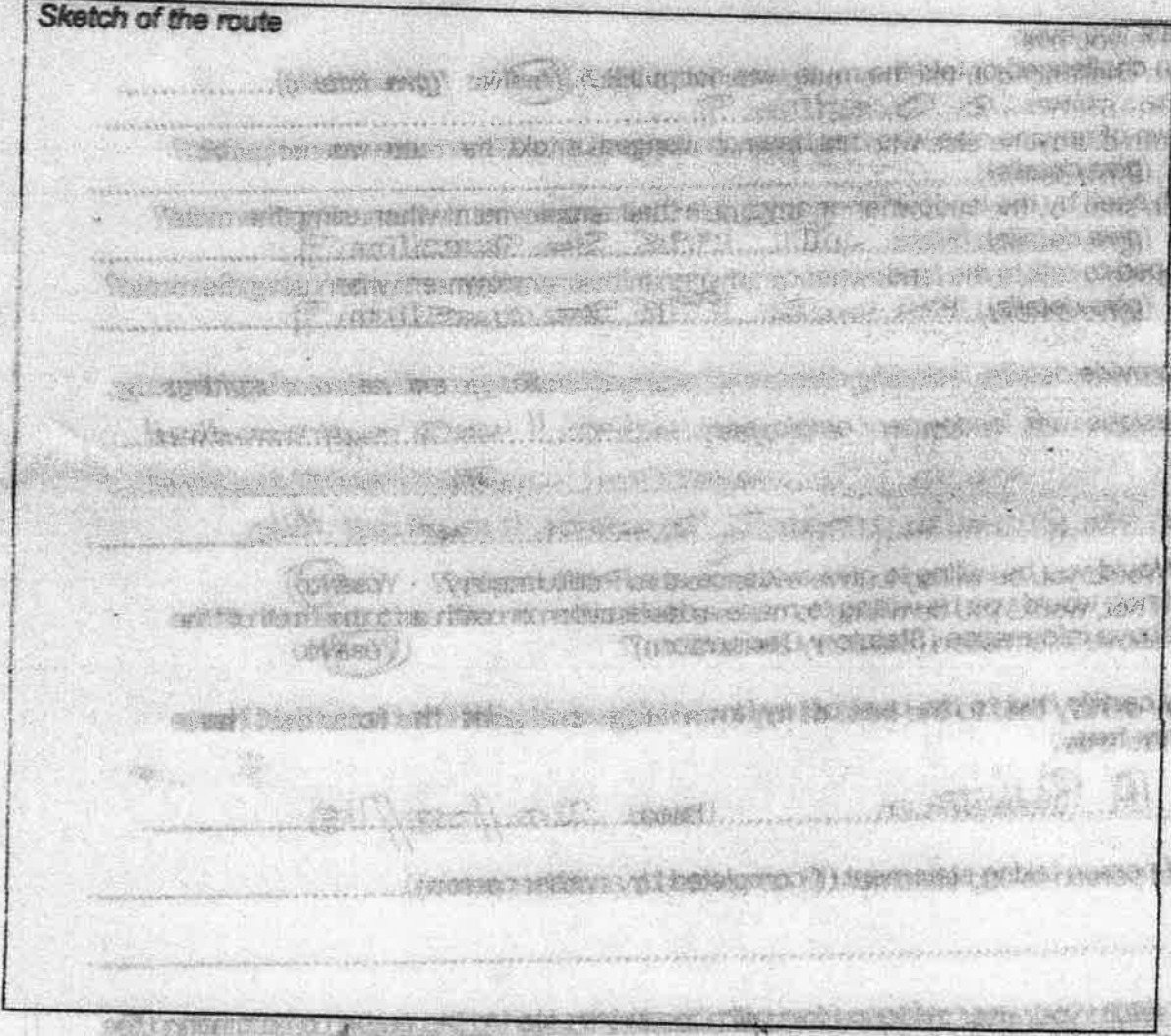
If you have any other information or documentary evidence (such as deeds, photographs or plans, details of other people whom you know to have used the route, local names for the route), please include details

Signed: 

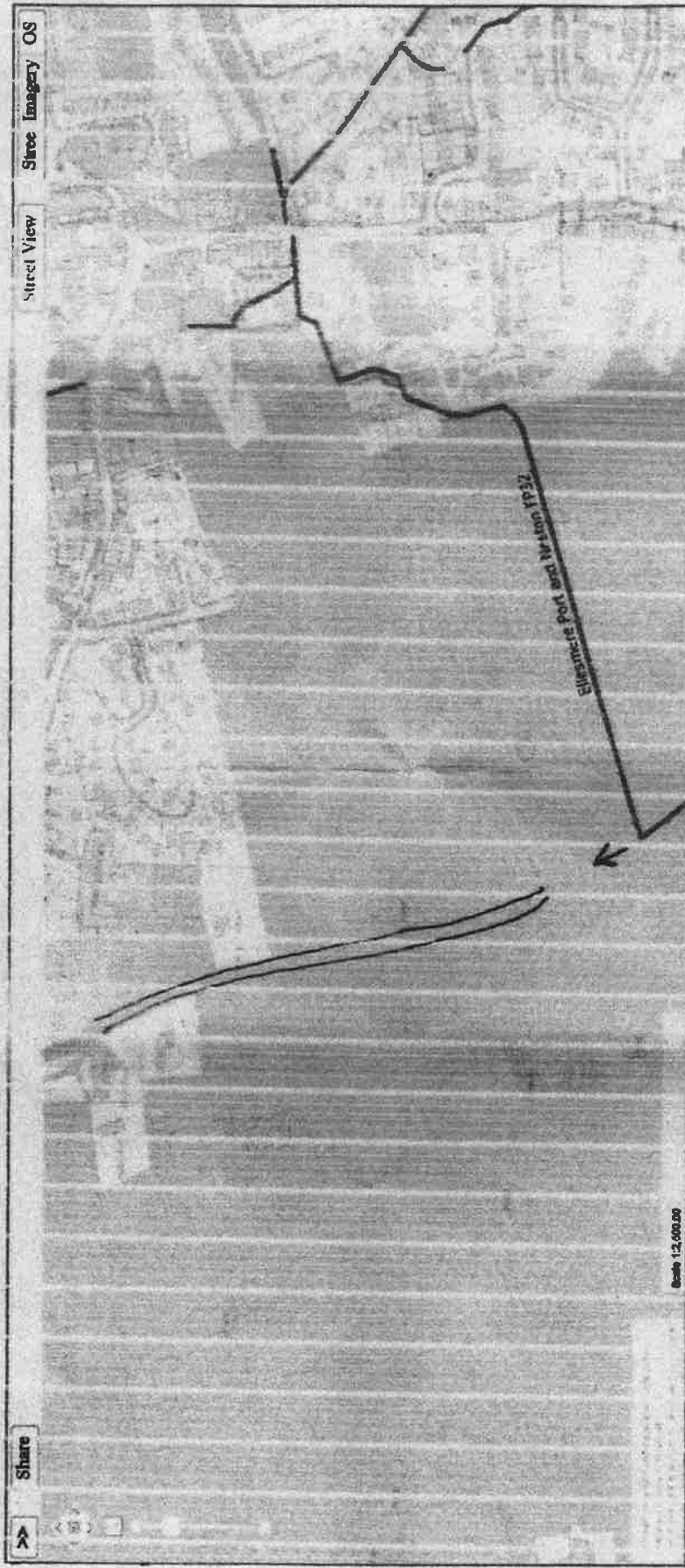
Dated:

20/09/18

Sketch of the route



- Home
- Interactive Mapping - Cheekle West and Chester



Cheekle West & Chester Council HQ, Nicholas Street, Chester, CH1 2NP Tel: 01244 123 8123

- Interactive Mapping - Cheekle West and Chester
- Home

~~My route along Ness Acre Lane shown in black~~

20/08/18



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Please state "Yes" and "No" where applicable, and answer all questions as fully and accurately as possible. The object of this questionnaire is to get to the truth of the matter, whatever it may be. All evidence is open for public inspection and may be viewed by landowners.

Name.....

Address.....

Occupation

Daytime telephone number.....

Age or Date of birth (please complete this, it is essential to our enquiries)63.....

Describe the path that you have used, including where from and to. (Please be as detailed as possible) and include a sketch the route with any relevant features or attach a plan that you have signed as having seen and agreed. There is room at the end for a plan.

FROM NESTON ROAD WILLASTON TO CHESTER HIGH ROAD

1.(a) Has the route always followed the same alignment?

Yes/No

(b) Did you always follow the same route?

Yes/No

If the path changed course at any particular time, please indicate this on the plan and clarify when this change occurred.....

THE PATH HAS BEEN DEROUTED TO THE EDGE OF THE FIELD. AND CLOSED AT THE WILLASTON END. THIS IN THE LAST 20 YEARS?

2. Have any features of the route changed during the time you have known it? Yes/No:

If so, please provide details.....AS ABOVE DEROUTED AND OBSTRUCTED.....

3.(a) Is the route enclosed between boundaries?

YES PARTIALLY

(b) Did you use the whole width between the boundaries?

YES

(c) If not, how much of the width is used?N/A.....

A footpath is used on foot only;
 a bridleway is used on foot and on horseback and on a cycle;
 a restricted byway is used on foot, on horseback, on a cycle and by way of non-motorised vehicles (eg horse and trap);
 and byway open to all traffic is for all types of use.

4. Explain why you regard the route in question as a Public Footpath, Bridleway or Vehicular Highway

BECAUSE IT IS WALKED AND I DO NOT RECALL SEEING ANY OTHER TYPE OF USER
 5(a) Have you used it:- IT ALSO APPEARS ON MAP AS A FOOTPATH.

*Years during which you used the path. The table below allows you to indicate separate periods of use.

	Yes	No	From	To	From	To	From	To
(i) on foot?			1960	1976				
(ii) on horseback?								
(iii) with a vehicle?								
(iv) on a bicycle?								

(b) How many times a year, | |
 on average OCCASIONALLY
 (or, for example, daily, weekly, monthly, occasionally)?

(c) Where were you going From? ULLASTON
 To? NESS OR NASTON

(d) For what purpose(s)? TO SEE FRIENDS, RECREATION, IN ORDER TO MAINTAIN DRAINAGE AND SURFACE ALONG SOME PARTS

(e) Did you use the route with other people, if so who with? Yes/No

MY FATHER

6(a) Have you seen other people using the same route? Yes/No
 (b) Were they on foot / horseback / in a vehicle / on a bicycle? (tick as appropriate)
 (c) Were they local and / or known to you? Yes/No

7. On the route have there ever been
 stiles? Yes/No
 gates? Yes/No
 other furniture? Yes/No
 signs / notices? Yes/No
 obstructions? Yes/No

Please give details and indicate them on the plan THERE WAS A SIGN ON THE JUNCTION OF NESS ACRE LANE AND NESTON ROAD, GATE INTO PASTURE AND STILES AT FIELD BOUNDARIES THE SIGN WAS TO INDICATE A PUBLIC FOOTPATH.

8. Please describe the surface of the route and if it has ever changed (e.g. been ploughed)
 UNADOPTED ROAD LEADING TO PASTURE AND CROP FIELDS.

9. Have you ever

- (a) owned / occupied land over which the claimed path runs? Yes ☒ No ☐
(b) worked for any owner / occupier of land affected by the claim? Yes ☒ No ☐
(c) discussed the claimed route with the landowner / occupier? Yes ☒ No ☐
(d) been related to / known any owner / occupier of the land concerned? Yes ☒ No ☐
(e) had a private right to use the route in question? Yes ☒ No ☐
(f) visited or delivered goods to anyone living along the route? Yes ☒ No ☐

Please provide any details, including the land affected, dates, tenancy / occupancy conditions, how well known (e.g. by sight only, acquaintance, good friend) and nature of private right (e.g. access to property).....

I DELIVERED NEWSPAPERS TO SOME HOUSES ON THE ROUTE (1968-69).....

10. Have you ever

- (a) sought permission to use the route? NO
(b) been given permission to use the route? NO

Please provide details, including dates and nature of permission.....

N/A

11. Have you ever

- (a) been challenged or told the route was not public? Yes ☒ No ☐ (give details).....
(b) known of anyone else who has been challenged or told the route was not public? Yes ☒ No ☐ (give details).....
(c) been seen by the landowner or anyone in their employment when using the route? Yes ☒ No ☐ (give details)..... I MAINTAINED THE PART THAT IS UNADOPTED ROAD
(d) stopped to talk to the landowner or anyone in their employment when using the route? Yes ☒ No ☐ (give details) 'GOOD MORNING' 'GOOD AFTERNOON'

Please provide details, including dates and nature of challenge and nature of sightings by, or discussions with, landowner / employees..... I WAVED AND EXCHANGED

GREETINGS WITH THE LANDOWNERS WHILE I WAS MAINTAINING THE ROUTE. ~~IF~~

12.(a) Would you be willing to give evidence at a Public Inquiry? Yes ☒ No ☐

(b) If not, would you be willing to make a declaration on oath as to the truth of the above information (Statutory Declaration)? Yes ☒ No ☐

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

Signed..... Dated 3/8/2020

Name of person taking statement (if completed by another person).....

Dated.....

Please return your user evidence form with the sketch plan to the person co-ordinating the application / gathering the evidence.

For further information contact the Cheshire West and Chester Borough Council, Public Rights of Way, Wyvern House The Drummer, Winsford, CW7 1AH

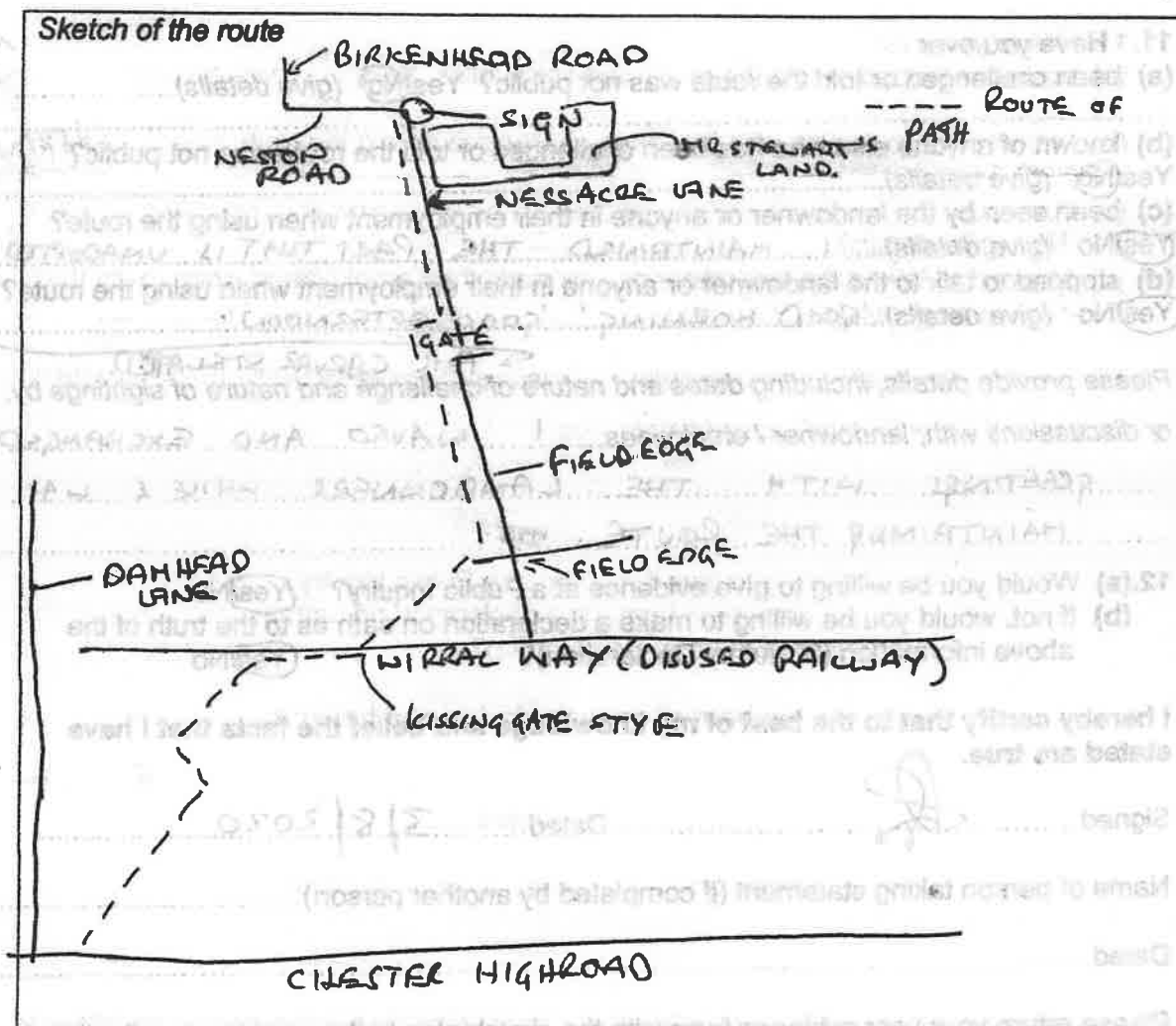
If you have any other information or documentary evidence (such as deeds, photographs or plans, details of other people whom you know to have used the route, local names for the route), please include details

I WORKED, PART TIME, FOR [REDACTED] WHO'S LAND BORDERED
NESS ACRE LANE. I WAS FREQUENTLY SENT TO CUT
VEGETATION, MAINTAIN THE SURFACE OF THE LANE AND
KEEP THE DRAINAGE DITCHES CLEAR. MR STEWART
REGARDED THIS AS AN OBLIGATION OF A LANDOWNER
AS HE WAS A VERY PUBLIC SPIRITED
PERSON.

Signed:

Dated:

3/8/20





Date received:

Application No:

Wildlife and Countryside Act 1981

Cheshire West and Chester Borough Council User Evidence Form

Please state "Yes" and "No" where applicable, and answer all questions as fully and accurately as possible. The object of this questionnaire is to get to the truth of the matter, whatever it may be. All evidence is open for public inspection by landowners

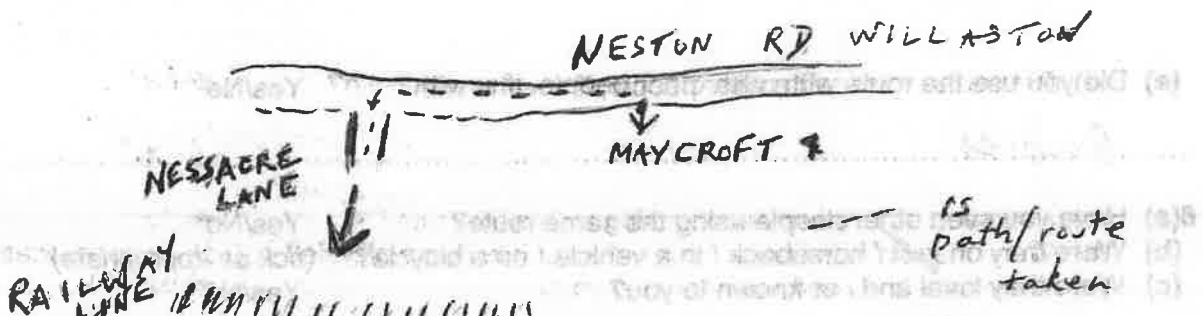
Th

(please complete this, it is essential to our enquiries) 31.08.34.

Describe the path that you have used, including where from and to. (Please be as detailed as possible) and include a sketch the route with any relevant features or attach a plan that you have signed as having seen and agreed. There is room at the end for a plan.

[Redacted]

[Redacted]



- 1.(a) Has the route always followed the same alignment?
- (b) Did you always follow the same route?

Yes/No
Yes/No

If the path changed course at any particular time, please indicate this on the plan and clarify when this change occurred.....

2. Have any features of the route changed during the time you have known it? ~~Yes~~/No.
If so, please provide details.....

- 3.(a) Is the route enclosed between boundaries?
- (b) Did you use the whole width between the boundaries?
- (c) If not, how much of the width is used?

Yes/No
Yes/No

[Redacted signature]

[Redacted signature]

Richard Stanton
Solicitor

A footpath is used on foot only;
 a bridleway is used on foot and on horseback and on a cycle;
 a restricted byway is used on foot, on horseback, on a cycle and by way of non-motorised vehicles (eg horse and trap);
 and byway open to all traffic is for all types of use.

4. Explain why you regard the route in question as a Public Footpath, Bridleway or Vehicular Highway

generally used by local inhabitants of this end of the village

5(a) Have you used it:-

*Years during which you used the path. The table below allows you to indicate separate periods of use.

	Yes	No	From	To	From	To	From	To
(i) on foot?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1961	1966				
(ii) on horseback?	<input type="checkbox"/>	<input checked="" type="checkbox"/>						
(iii) with a vehicle?	<input type="checkbox"/>	<input checked="" type="checkbox"/>						
(iv) on a bicycle?	<input type="checkbox"/>	<input checked="" type="checkbox"/>						

(b) How many times a year, *occasionally*
 on average
 (or, for example, daily, weekly, monthly, occasionally)?

(c) Where were you going From? *Home to Norton Rd. Willaston*
 To? *Railway line then in commercial use*

(d) For what purpose(s)? *exercise*

(e) Did you use the route with other people, if so who with? Yes/No

Babies

6(a) Have you seen other people using the same route? Yes/No

(b) Were they on foot / horseback / in a vehicle / on a bicycle? (tick as appropriate)

(c) Were they local and / or known to you? Yes/No

7. On the route have there ever been stiles? Yes/No?

gates? Yes/No?

other furniture? Yes/No?

signs / notices? Yes/No?

obstructions? Yes/No?

Please give details and indicate them on the plan *Too long ago*

8. Please describe the surface of the route and if it has ever changed (e.g. been ploughed)

Rough path

9. Have you ever

- | | |
|---|--------|
| (a) owned / occupied land over which the claimed path runs? | Yes/No |
| (b) worked for any owner / occupier of land affected by the claim? | Yes/No |
| (c) discussed the claimed route with the landowner / occupier? | Yes/No |
| (d) been related to/known any owner/occupier of the land concerned? | Yes/No |
| (e) had a private right to use the route in question? | Yes/No |
| (f) visited or delivered goods to anyone living along the route? | Yes/No |

Please provide any details, including the land affected, dates, tenancy / occupancy conditions, how well known (e.g. by sight only, acquaintance, good friend) and nature of private right (e.g. access to property).....

10. Have you ever

- (a) sought permission to use the route?..... No
- (b) been given permission to use the route?..... No

Please provide details, including dates and nature of permission.....

11. Have you ever

- (a) been challenged or told the route was not public? Yes/No (give details).....
- (b) known of anyone else who has been challenged or told the route was not public? Yes/No (give details).....
- (c) been seen by the landowner or anyone in their employment when using the route? Yes/No (give details).....
- (d) stopped to talk to the landowner or anyone in their employment when using the route? Yes/No (give details).....

Please provide details, including dates and nature of challenge and nature of sightings by, or discussions with, landowner / employees.....

- 12.(a) Would you be willing to give evidence at a Public Inquiry? Yes/No
- (b) If not, would you be willing to make a declaration on oath as to the truth of the above information (Statutory Declaration)? Yes/No

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

Signed..... Dated... 25.07.20.....

Name of person taking statement (if completed by another person).....

Dated.....

Please return your user evidence form with the sketch plan to the person co-ordinating the application / gathering the evidence.

For further information contact the Cheshire West and Chester Borough Council, Public Rights of Way, Wyvern House The Drummer, Winsford, CW7 1AH

If you have any other information or documentary evidence (such as deeds, photographs or plans, details of other people whom you know to have used the route, local names for the route), please include details

~~Redacted text~~

Signed:

~~Redacted signature~~

Dated: 25.07.20

Sketch of the route

As on P1



Date received:

Application No:

Wildlife and Countryside Act 1981

Cheshire West and Chester Borough Council User Evidence Form

Please state "Yes" and "No" where applicable, and answer all questions as fully and accurately as possible. The object of this questionnaire is to get to the truth of the matter, whatever it may be. All evidence is open for public inspection and may be viewed by landowners.

Name.....

Address.....

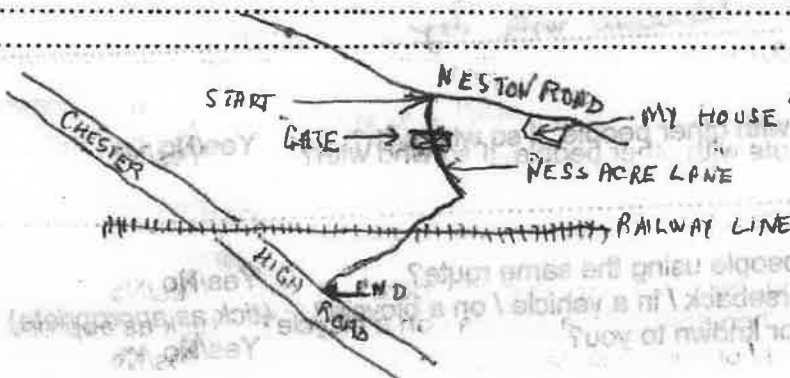
Occupation.....

Daytime telephone number.....

Age or Date of birth (please complete this, it is essential to our enquiries) 13.6.1931

Describe the path that you have used, including where from and to. (Please be as detailed as possible) and include a sketch the route with any relevant features or attach a plan that you have signed as having seen and agreed. There is room at the end for a plan.

Neston Road, Willaston, Warrington to the Chester High Lane



1.(a) Has the route always followed the same alignment?

Yes/No

(b) Did you always follow the same route?

Yes/No

If the path changed course at any particular time, please indicate this on the plan and clarify when this change occurred.....

2. Have any features of the route changed during the time you have known it? Yes/No.
If so, please provide details.....

3.(a) Is the route enclosed between boundaries?

Yes/No

(b) Did you use the whole width between the boundaries?

Yes/No

(c) If not, how much of the width is used?

Richard Stanton
Solicitor

A footpath is used on foot only;
 a bridleway is used on foot and on horseback and on a cycle;
 a restricted byway is used on foot, on horseback, on a cycle and by way of non-motorised vehicles (eg horse and trap);
 and byway open to all traffic is for all types of use.

4. Explain why you regard the route in question as a Public Footpath, Bridleway or Vehicular Highway

Used by a number of the public from Willington

5(a) Have you used it:-

*Years during which you used the path. The table below allows you to indicate separate periods of use.

	Yes	No	From	To	From	To	From	To
(i) on foot?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1961	1966				
(ii) on horseback?	<input type="checkbox"/>	<input type="checkbox"/>						
(iii) with a vehicle?	<input type="checkbox"/>	<input type="checkbox"/>						
(iv) on a bicycle?	<input type="checkbox"/>	<input type="checkbox"/>						

(b) How many times a year, *monthly*
 on average

(or, for example, daily, weekly, monthly, occasionally)?

(c) Where were you going From?

Norton Road
 To? *Caister High Road, across the railway line*

(d) For what purpose(s)?

Pleasure with dog

(e) Did you use the route with other people, if so who with?

Yes/No

My wife

6(a) Have you seen other people using the same route?

Yes/No

(b) Were they on foot / horseback / in a vehicle / on a bicycle?

(tick as appropriate)

(c) Were they local and / or known to you?

Yes/No

7. On the route have there ever been stiles?

Yes/No

gates?

Yes/No

other furniture?

Yes/No

signs / notices?

Yes/No

obstructions?

Yes/No

*AT ENTRANCE
 NOTIFYING IT
 AS A PUBLIC FOOTPATH*

Please give details and indicate them on the plan *GATE ACROSS AT HOUSE*

SOMETIMES OPEN SOMETIMES CLOSED

8. Please describe the surface of the route and if it has ever changed (e.g. been ploughed)

AT START ROUGH TARMAC THEN SOIL SURFACE

9. Have you ever
- (a) owned / occupied land over which the claimed path runs? ~~Yes~~/No
 - (b) worked for any owner / occupier of land affected by the claim? ~~Yes~~/No
 - (c) discussed the claimed route with the landowner / occupier? Yes/~~No~~
 - (d) been related to/known any owner/occupier of the land concerned? Yes/~~No~~
 - (e) had a private right to use the route in question? Yes/~~No~~
 - (f) visited or delivered goods to anyone living along the route? Yes/~~No~~

Please provide any details, including the land affected, dates, tenancy / occupancy conditions, how well known (e.g. by sight only, acquaintance, good friend) and nature of private right (e.g. access to property).....

10. Have you ever
- (a) sought permission to use the route?..... No
 - (b) been given permission to use the route?..... No

Please provide details, including dates and nature of permission.....

11. Have you ever
- (a) been challenged or told the route was not public? ~~Yes~~/No (give details).....
 - (b) known of anyone else who has been challenged or told the route was not public? ~~Yes~~/No (give details).....
 - (c) been seen by the landowner or anyone in their employment when using the route? ~~Yes~~/No (give details).....
 - (d) stopped to talk to the landowner or anyone in their employment when using the route? ~~Yes~~/No (give details).....

Please provide details, including dates and nature of challenge and nature of sightings by, or discussions with, landowner / employees.....

- 12.(a) Would you be willing to give evidence at a Public Inquiry? Yes/~~No~~
- (b) If not, would you be willing to make a declaration on oath as to the truth of the above information (Statutory Declaration)? Yes/~~No~~

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

Signed..... Dated 25th July 2020

Name of person taking statement (if completed by another person).....

Dated.....

Please return your user evidence form with the sketch plan to the person co-ordinating the application / gathering the evidence.

For further information contact the Cheshire West and Chester Borough Council, Public Rights of Way, Wyvern House The Drummer, Winsford, CW7 1AH

If you have any other information or documentary evidence (such as deeds, photographs or plans, details of other people whom you know to have used the route, local names for the route), please include details

[REDACTED]

Signed:

[Signature]

Dated:

25th July 2020

Sketch of the route

[Empty box for sketch of the route]



Cheshire West
and Chester

FORM E

For official use

Date received: 2

Application No:

Wildlife and Countryside Act 1981

Cheshire West and Chester Borough Council User Evidence Form

Please state "Yes" and "No" where applicable, and answer all questions as fully and accurately as possible. The object of this questionnaire is to get to the truth of the matter, whatever it may be. All evidence is open for public inspection and may be viewed by landowners.

Name.....

Address.....

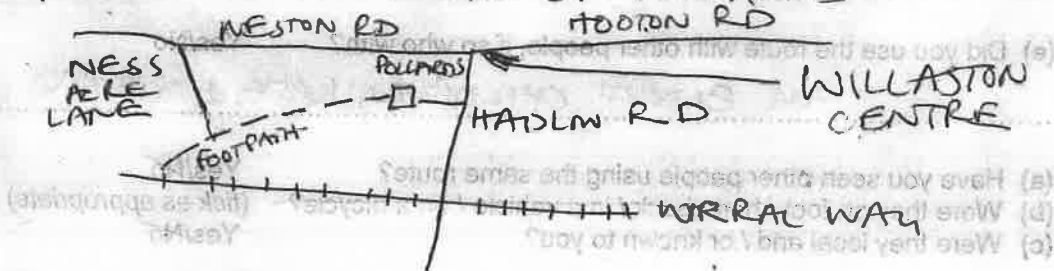
Occupation

Daytime telephone number.....

Age or Date of birth (please complete this, it is essential to our enquiries) 4/6/1955

Describe the path that you have used, including where from and to. (Please be as detailed as possible) and include a sketch the route with any relevant features or attach a plan that you have signed as having seen and agreed. There is room at the end for a plan.

FOLLOWED NESS ACRE LANE FROM ITS
JUNCTION WITH NESTON ROAD, WILLASTON, OVER TO
MEET THE PATH WHICH RAN FROM THE WIRRAL
WAY OVER TO THE REAR OF POLLARD'S



1.(a) Has the route always followed the same alignment?

Yes/No

(b) Did you always follow the same route?

Yes/No

If the path changed course at any particular time, please indicate this on the plan and clarify when this change occurred.....

2. Have any features of the route changed during the time you have known it? Yes/No
If so, please provide details... (NESS ACRE lane hasn't changed)
THE FOOTPATH FROM WIRRAL WAY TO POLLARD'S
HAS BEEN SLIGHTLY RE-ROUTED

3.(a) Is the route enclosed between boundaries?

Yes/No

(b) Did you use the whole width between the boundaries?

Yes/No

(c) If not, how much of the width is used?

A footpath is used on foot only;
 a bridleway is used on foot and on horseback and on a cycle;
 a restricted byway is used on foot, on horseback, on a cycle and by way of non-motorised vehicles (eg horse and trap);
 and byway open to all traffic is for all types of use.

4. Explain why you regard the route in question as a Public Footpath, Bridleway or Vehicular Highway WE CAME TO WILLATON IN 1983 AND WERE TOLD ABOUT THE EXISTENCE OF THE ROUTE AND SAW MANY OTHERS USING IT

5(a) Have you used it:-

		*Years during which you used the path. The table below allows you to indicate separate periods of use.						
	Yes	No	From	To	From	To	From	To
(i) on foot?	✓		1983	1990				
(ii) on horseback?		✓						
(iii) with a vehicle?		✓						
(iv) on a bicycle?		✓						

(b) How many times a year, MONTHLY
 on average
 (or, for example, daily, weekly, monthly, occasionally)?

(c) Where were you going From? HOME
 To? HOME (WALKS WITH CHILDREN)

(d) For what purpose(s)? LEISURE WALKING WITH FAMILY

(e) Did you use the route with other people, if so who with? Yes/No

MY ELDEST CHILDREN, ~~XXXXXXXXXX~~

6(a) Have you seen other people using the same route? Yes/No
 (b) Were they on foot / horseback / in a vehicle / on a bicycle? (tick as appropriate)
 (c) Were they local and / or known to you? Yes/No

7. On the route have there ever been
 stiles? Yes/No
 gates? Yes/No
 other furniture? Yes/No
 signs / notices? Yes/No
 obstructions? Yes/No

Please give details and indicate them on the plan

8. Please describe the surface of the route and if it has ever changed (e.g. been ploughed):

FROM MEMORY, IT WAS A RUGH FARM TRACK, UNMETALLED

9. Have you ever

- (a) owned / occupied land over which the claimed path runs? Yes/No
(b) worked for any owner / occupier of land affected by the claim? Yes/No
(c) discussed the claimed route with the landowner / occupier? Yes/No
(d) been related to / known any owner/occupier of the land concerned? Yes/No
(e) had a private right to use the route in question? Yes/No
(f) visited or delivered goods to anyone living along the route? Yes/No

Please provide any details, including the land affected, dates, tenancy / occupancy conditions, how well known (e.g. by sight only, acquaintance, good friend) and nature of private right (e.g. access to property) ON ONE OCCASION IN 1989-90

I SAW [REDACTED] WHO SAID I WAS ON PRIVATE PROPERTY
I TOLD HIM IT WAS A WELL ESTABLISHED RIGHT OF WAY AND
CONTINUED PAST HIS HOUSE WITH MY 2 SMALL CHILDREN

10. Have you ever

- (a) sought permission to use the route? NO
(b) been given permission to use the route? NO

Please provide details, including dates and nature of permission.....

11. Have you ever

- (a) been challenged or told the route was not public? Yes/No (give details) SEE (9)
(b) known of anyone else who has been challenged or told the route was not public? Yes/No (give details).....
(c) been seen by the landowner or anyone in their employment when using the route? Yes/No (give details) SEE (9)
(d) stopped to talk to the landowner or anyone in their employment when using the route? Yes/No (give details) SEE (9)

Please provide details, including dates and nature of challenge and nature of sightings by, or discussions with, landowner / employees.....

- 12.(a) Would you be willing to give evidence at a Public Inquiry? Yes/No
(b) If not, would you be willing to make a declaration on oath as to the truth of the above information (Statutory Declaration)? Yes/No

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

Signed [REDACTED] Dated 23/12/22

Name of person taking statement (if completed by another person).....

Dated.....

Please return your user evidence form with the sketch plan to the person co-ordinating the application / gathering the evidence.

For further information contact the Cheshire West and Chester Borough Council,
Greenspace, Wyvern House The Drummer, Winsford, CW7 1AH

If you have any other information or documentary evidence (such as deeds, photographs
or plans, details of other people whom you know to have used the route, local names for
the route), please include details

Signed:

Dated:

23/12/22

Sketch of the route

Ness Acre Lane, Willaston, Neston – brief evidence statement

Copy

I, ~~XXXXXXXXXX~~ walked along Ness Acre Lane in Willaston,
Neston from Neston Road to Footpath 32

between 1976 to 1982 . Nobody gave me permisssion and I was not employed by the owner of the lane or of neighbouring properties

along the lane, nor was I stopped until 1982 when ~~the~~ ~~the~~ got very awkward, challenging our right to walk from Neston Road across the field footpath, and Wirral Way

Signed

[Handwritten signature]

Address

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Witness 1 signature

Witness 2 signature

11-12-1964

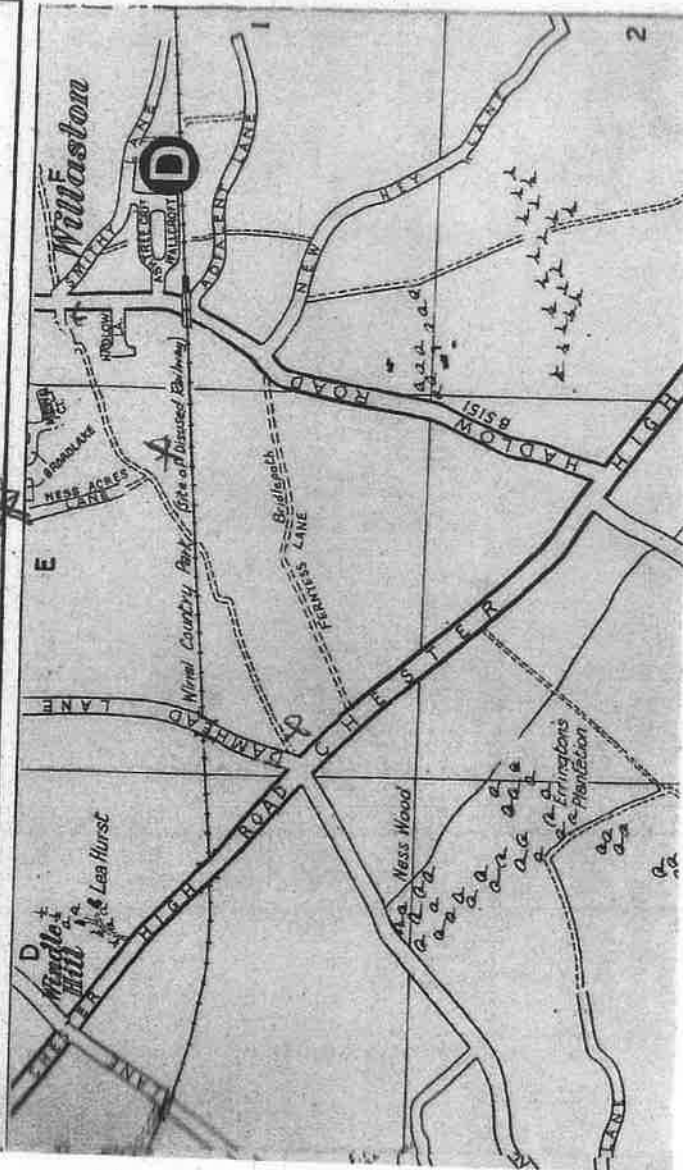
Date 17/3/23

7 COPY

— — CORROSION PROTECTION — —

Crescent Road, Ellesmere Port

Telephone: 051-355 2028/29



17/3/2023



Copy of Evidence Form

FORM E

For official use

Date received:

Application No:

Wildlife and Countryside Act 1981

Cheshire West and Chester Borough Council User Evidence Form

Please state "Yes" and "No" where applicable, and answer all questions as fully and accurately as possible. The object of this questionnaire is to get to the truth of the matter, whatever it may be. All evidence is open for public inspection and may be viewed by landowners.

Name...

Address.....

Occupation

Daytime telephone number.....

Age or Date of birth (please complete this, it is essential to our enquiries) 31/8/69

Describe the path that you have used, including where from and to. (Please be as detailed as possible) and include a sketch the route with any relevant features or attach a plan that you have signed as having seen and agreed. There is room at the end for a plan.

The path followed on from Ness Acre to right up to the Wirral way at the top - you could also access a lower path before the Wirral way where the horses paddock is and walk round to Pollards Inn, or get to Netherth Parkgate on Wirral way.

1.(a) Has the route always followed the same alignment?

(b) Did you always follow the same route?

Yes/No

Yes/No

If the path changed course at any particular time, please indicate this on the plan and clarify when this change occurred.....

2. Have any features of the route changed during the time you have known it? Yes/No. If so, please provide details.....

3.(a) Is the route enclosed between boundaries?

(b) Did you use the whole width between the boundaries?

(c) If not, how much of the width is used?

Yes/No

Yes/No

A footpath is used on foot only;
 a bridleway is used on foot and on horseback and on a cycle;
 a restricted byway is used on foot, on horseback, on a cycle and by way of non-motorised vehicles (eg horse and trap);
 and byway open to all traffic is for all types of use.

4. Explain why you regard the route in question as a Public Footpath, Bridleway or Vehicular Highway

SIGNS INDICATE THE ROUTE AND THERE WAS A MAP SHOWING THE STRAIGHT ROUTE BY THE HALL INTO THE VILLAGE

5(a) Have you used it?

*Years during which you used the path. The table below allows you to indicate separate periods of use.

	Yes	No	From	To	From	To	From	To
(i) on foot?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	70's	80's				
(ii) on horseback?	<input type="checkbox"/>	<input checked="" type="checkbox"/>						
(iii) with a vehicle?	<input type="checkbox"/>	<input checked="" type="checkbox"/>						
(iv) on a bicycle?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	70's	80's				

(b) How many times a year, 100 on average (or, for example, daily, weekly, monthly, occasionally)?

(c) Where were you going From? HOME To? WIRRAL WAY

(d) For what purpose(s)? WALKING / CYCLING / PLAYING
MEETING FRIENDS + WALKERS ON WIRRAL WAY

(e) Did you use the route with other people, if so who with? Yes/No

FRIENDS, FAMILY, WALKING GROUPS

6(a) Have you seen other people using the same route?

(b) Were they on foot / horseback / in a vehicle / on a bicycle?

(c) Were they local and / or known to you?

Yes/No

(tick as appropriate)

Yes/No

Yes/No

Yes/No

Yes/No

Yes/No

Yes/No

Yes/No

7. On the route have there ever been stiles?

gates?

other furniture?

signs / notices?

obstructions?

LOCAL

Please give details and indicate them on the plan

2 GATES WERE PUT UP ON THE LANE

8. Please describe the surface of the route and if it has ever changed (e.g. been ploughed)

VEHICULAR ROUTE, CHANGED TO PATH YOU COULD WALK OR CYCLE

9. Have you ever

- (a) owned / occupied land over which the claimed path runs?
(b) worked for any owner / occupier of land affected by the claim?
(c) discussed the claimed route with the landowner / occupier?
(d) been related to/known any owner/occupier of the land concerned?
(e) had a private right to use the route in question?
(f) visited or delivered goods to anyone living along the route?

WAS TOLD BY A MAN ON LANE
THAT WE COULD NOT ONLY
GO THAT WAY.
Yes/No
Yes/No
Yes/No
Yes/No
Yes/No
Yes/No

Please provide any details, including the land affected, dates, tenancy / occupancy conditions, how well known (e.g. by sight only, acquaintance, good friend) and nature of private right (e.g. access to property).....

10. Have you ever

- (a) sought permission to use the route? NO - WAS STOPPED
(b) been given permission to use the route? NO - NOT ALLOWED BY A

Please provide details, including dates and nature of permission..... RESIDENT ON LANE
ALLOF A SUDDEN FOR SOME
REASON.

11. Have you ever

- (a) been challenged or told the route was not public? Yes/No (give details).....
RESIDENT OFF LANE SAID HE HAD DECIDED IT WAS HIS LAND
(b) known of anyone else who has been challenged or told the route was not public?
Yes/No (give details).....
(c) been seen by the landowner or anyone in their employment when using the route?
Yes/No (give details).....
(d) stopped to talk to the landowner or anyone in their employment when using the route?
Yes/No (give details).....

PREVIOUSLY IT WAS ALLOWED, BUT SUDDENLY ONE DAY
Please provide details, including dates and nature of challenge and nature of sightings by, WE WERE NOT.
or discussions with, landowner / employees.....

12(a) Would you be willing to give evidence at a Public Inquiry? Yes/No

(b) If not, would you be willing to make a declaration on oath as to the truth of the above information (Statutory Declaration)? Yes/No

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

Signed..... Dated.....

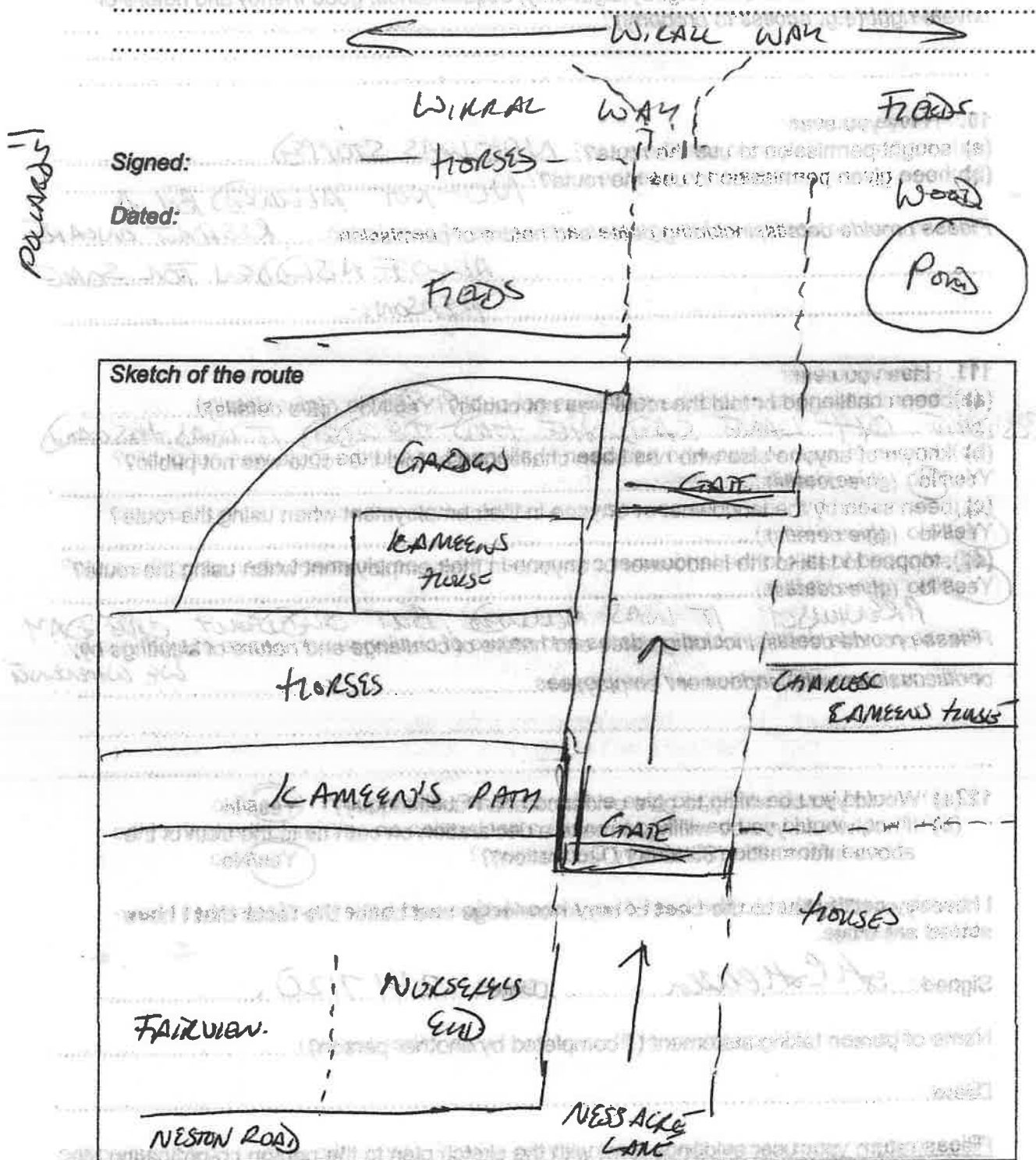
Name of person taking statement (if completed by another person).....

Dated.....

Please return your user evidence form with the sketch plan to the person co-ordinating the application / gathering the evidence.

For further information contact the Cheshire West and Chester Borough Council, Public Rights of Way, Wyvern House The Drummer, Winsford, CW7 1AH

If you have any other information or documentary evidence (such as deeds, photographs or plans, details of other people whom you know to have used the route, local names for the route), please include details



WE USED THIS ROUTE FOR YEARS ON FOOT, BIKES + HORSES
AND ONE DAY A MAN STOPPED US AND SAID THAT IT WAS HIS
LAND + SOON AFTER PUT UP GATES, AND WARD. TELL US OFF IF



COPY

FORM E

For official use

Date received:
Application No:

NESS ACRE LANE WILLASTON

Wildlife and Countryside Act 1981

Cheshire West and Chester Borough Council User Evidence Form

Please state "Yes" and "No" where applicable, and answer all questions as fully and accurately as possible. The object of this questionnaire is to get to the truth of the matter, whatever it may be. All evidence is open for public inspection and may be viewed by landowners.

Name.....

Address.....

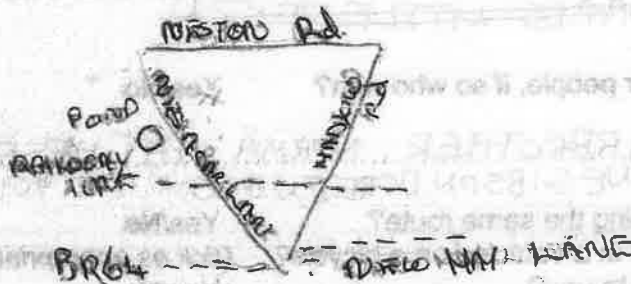
Occupation.....

Daytime telephone number.....

Age or Date of birth (please complete this, it is essential to our enquiries) Over 70.....

Describe the path that you have used, including where from and to. (Please be as detailed as possible) and include a sketch the route with any relevant features or attach a plan that you have signed as having seen and agreed. There is room at the end for a plan.

The walk started in Mill Green. It went across Nether's Recreation ground, along Neaton Road to Ness Acre Lane. I went along Ness Acre to the ponds or on to Little Neston or New Hey Lane.



1.(a) Has the route always followed the same alignment?

Yes/No whilst I used route
Yes/No

(b) Did you always follow the same route?

If the path changed course at any particular time, please indicate this on the plan and clarify when this change occurred.....

2. Have any features of the route changed during the time you have known it? Yes/No.
If so, please provide details.....

3.(a) Is the route enclosed between boundaries?

Yes/No
Yes/No

(b) Did you use the whole width between the boundaries?

(c) If not, how much of the width is used?

4. Explain why you regard the route in question as a Public Footpath, Bridleway or Vehicular Highway

*Years during which you used the path. The table below allows you to indicate separate periods of use.

	Yes	No	From	To	From	To	From	To
(i) on foot?	✓		1957	1963				
(ii) on horseback?								
(iii) with a vehicle?								
(iv) on a bicycle?								

or, for example, *daily, weekly, monthly, occasionally*)?

To? PANDS, OR NEWHEY LANE OR
TOWARDS LITTLE NESTO

~~TOWARDS LITTLE VESION~~

Yes/No

Yes/No

(tick as appropriate)

Yes/No

Yes/No

Yes/No

Yes/No

Yes/No

Yes/No

N/A

STONY, M.V.D.D.Y. ACROSS FIELDS

9. Have you ever

- | | |
|---|--------|
| (a) owned / occupied land over which the claimed path runs? | Yes/No |
| (b) worked for any owner / occupier of land affected by the claim? | Yes/No |
| (c) discussed the claimed route with the landowner / occupier? | Yes/No |
| (d) been related to/known any owner/occupier of the land concerned? | Yes/No |
| (e) had a private right to use the route in question? | Yes/No |
| (f) visited or delivered goods to anyone living along the route? | Yes/No |

Please provide any details, including the land affected, dates, tenancy / occupancy conditions, how well known (e.g. by sight only, acquaintance, good friend) and nature of private right (e.g. access to property).....

N/A

10. Have you ever

- | | |
|---|----|
| (a) sought permission to use the route? | NO |
| (b) been given permission to use the route? | NO |

Please provide details, including dates and nature of permission.....

N/A

11. Have you ever

- | | |
|---|---------------------------------|
| (a) been challenged or told the route was not public? Yes/No (give details)..... | CHALLENGED US BUT WE CARRIED ON |
| (b) known of anyone else who has been challenged or told the route was not public? Yes/No (give details)..... | |
| (c) been seen by the landowner or anyone in their employment when using the route? Yes/No (give details)..... | |
| (d) stopped to talk to the landowner or anyone in their employment when using the route? Yes/No (give details)..... | |

WHEN? Please provide details, including dates and nature of challenge and nature of sightings by, or discussions with, landowner / employees..... HE SHOUTED AT US..... BUT WE CARRIED ON USING THE ROUTE.....

- | | |
|--|--------|
| 12.(a) Would you be willing to give evidence at a Public Inquiry? | Yes/No |
| (b) If not, would you be willing to make a declaration on oath as to the truth of the above information (Statutory Declaration)? | Yes/No |

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

Signed..... Dated..... 12/11/18

Name of person taking statement (if completed by another person).....

Dated..... 12/11/18

Please return your user evidence form with the sketch plan to the person co-ordinating the application / gathering the evidence.

For further information contact the Cheshire West and Chester Borough Council, Public Rights of Way, Wyvern House The Drummer, Winsford, CW7 1AH

If you have any other information or documentary evidence (such as deeds, photographs or plans, details of other people whom you know to have used the route, local names for the route), please include details

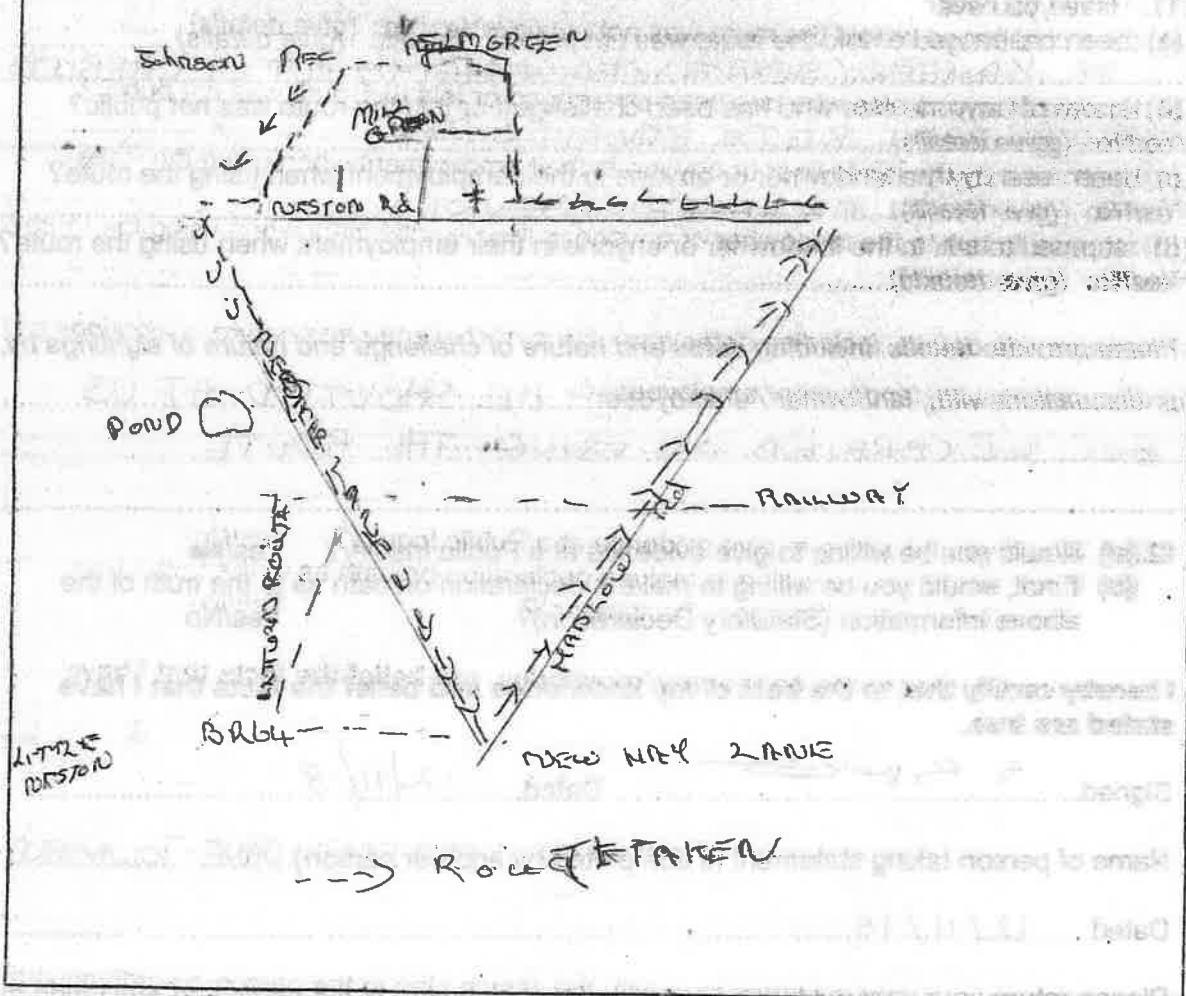
Signed:



Dated:

12/11/18

Sketch of the route





Cheshire West
and Chester

FORM E

For official use

Date received:

Application No:

Wildlife and Countryside Act 1981

Cheshire West and Chester Borough Council User Evidence Form

Please state "Yes" and "No" where applicable, and answer all questions as fully and accurately as possible. The object of this questionnaire is to get to the truth of the matter, whatever it may be. All evidence is open for public inspection and may be viewed by landowners.

Name...

Address...

Occupation...

Daytime telephone number...

Age or Date of birth (please complete this, it is essential to our enquiries) 11/2/71

Describe the path that you have used, including where from and to. (Please be as detailed as possible) and include a sketch the route with any relevant features or attach a plan that you have signed as having seen and agreed. There is room at the end for a plan.

THE PATH WAS ALONG NESS ACRE LANE
AND MET THE WIRRAL WALK AT THE TOP

1.(a) Has the route always followed the same alignment?

(b) Did you always follow the same route?

Yes/No

Yes/No

If the path changed course at any particular time, please indicate this on the plan and clarify when this change occurred.....

2. Have any features of the route changed during the time you have known it? Yes/No.

If so, please provide details.....

3.(a) Is the route enclosed between boundaries?

(b) Did you use the whole width between the boundaries?

(c) If not, how much of the width is used?

Yes/No

Yes/No

A footpath is used on foot only;
 a bridleway is used on foot and on horseback and on a cycle;
 a restricted byway is used on foot, on horseback, on a cycle and by way of non-motorised vehicles (eg horse and trap);
 and byway open to all traffic is for all types of use.

4. Explain why you regard the route in question as a Public Footpath, Bridleway or Vehicular Highway

THERE WAS A SIGN ORIGINALLY AND THERE USED TO BE A MAP OUTSIDE THE MEMORIAL HALL SHOWING IT AS A FOOTPATH

5(a) Have you used it:-

*Years during which you used the path. The table below allows you to indicate separate periods of use.

	Yes	No	From	To	From	To	From	To
(i) on foot?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	LATE 70'S	MID 80'S				
(ii) on horseback?	<input type="checkbox"/>	<input checked="" type="checkbox"/>						
(iii) with a vehicle?	<input type="checkbox"/>	<input checked="" type="checkbox"/>						
(iv) on a bicycle?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	LATE 70'S	MID 80'S				

(b) How many times a year, | |
 on average

(or, for example, daily, weekly, monthly, occasionally)?

(c) Where were you going From? HOME
 To? W. DEAL WALK

(d) For what purpose(s)? WALKING / PLAYING

(e) Did you use the route with other people, if so who with? ☒ Yes ☐ No

FRIENDS + FAMILY

6(a) Have you seen other people using the same route?

☒ Yes ☐ No

(b) Were they on foot / horseback / in a vehicle / on a bicycle?

(tick as appropriate)

(c) Were they local and / or known to you?

☒ Yes ☐ No

7. On the route have there ever been stiles?

☒ Yes ☐ No

gates?

☒ Yes ☐ No

other furniture?

☒ Yes ☐ No

signs / notices?

☒ Yes ☐ No

obstructions?

☒ Yes ☐ No

Please give details and indicate them on the plan

2 GATES WERE ERECTED ALONG THE LANE

8. Please describe the surface of the route and if it has ever changed (e.g. been ploughed)

ROAD CHANGING TO PATH

9. Have you ever

- (a) owned / occupied land over which the claimed path runs? Yes/No ☒ No
(b) worked for any owner / occupier of land affected by the claim? Yes/No ☒ No
(c) discussed the claimed route with the landowner / occupier? Yes/No ☒ No
(d) been related to/known any owner/occupier of the land concerned? Yes/No ☒ No
(e) had a private right to use the route in question? Yes/No ☒ No
(f) visited or delivered goods to anyone living along the route? Yes/No ☒ No

Please provide any details, including the land affected, dates, tenancy / occupancy conditions, how well known (e.g. by sight only, acquaintance, good friend) and nature of private right (e.g. access to property)

I WOULD SAY WE WERE DENIED ACCESS FROM THE EARLY 80'S BY [REDACTED]

10. Have you ever

- (a) sought permission to use the route? NO
(b) been given permission to use the route? NO

Please provide details, including dates and nature of permission

11. Have you ever

- (a) been challenged or told the route was not public? Yes/No (give details) WE WERE STOPPED AS KIDS AND TOLD IT WAS PRIVATE
(b) known of anyone else who has been challenged or told the route was not public? Yes/No (give details) AS ABOVE
(c) been seen by the landowner or anyone in their employment when using the route? Yes/No (give details) AS ABOVE
(d) stopped to talk to the landowner or anyone in their employment when using the route? Yes/No (give details) AS ABOVE

Please provide details, including dates and nature of challenge and nature of sightings by, or discussions with, landowner / employees. WHEN I WAS STOPPED I POINTED OUT TO THE LANDOWNER THAT THERE WAS A MAP ON THE VILLAGE GREEN THAT CLEARLY INDICATED IT WAS A PUBLIC FOOTPATH

- 12.(a) Would you be willing to give evidence at a Public Inquiry? Yes/No ☒ Yes
(b) If not, would you be willing to make a declaration on oath as to the truth of the above information (Statutory Declaration)? Yes/No ☒ Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

Signed [REDACTED] Dated 25/7/20

Name of person taking statement (if completed by another person)

Dated

Please return your user evidence form with the sketch plan to the person co-ordinating the application / gathering the evidence.

If you have any other information or documentary evidence (such as deeds, photographs or plans, details of other people whom you know to have used the route, local names for the route), please include details

Signed:

Dated: 25/7/20

Sketch of the route