RIGHTS OF WAY

DEFINITIVE MAP MODIFICATION ORDER APPLICATION

INFORMATION AND FORMS

SECTION 53 WILDLIFE & COUNTRYSIDE ACT 1981

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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 or 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

A definitive statement

A 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 County of Cumbria

The definitive map and statement covering the whole county of Cumbria has a relevant date of 1 January 1976. These records revised earlier maps from the relevant parts of the former counties of Cumberland, Westmorland, Lancashire and the West Riding of Yorkshire. These original definitive maps each had relevant dates in the 1950s and were the first central records to be made of public rights of way.

Within the Lake District National Park

By law, Cumbria County Council has a duty to keep the definitive map and statement up to date. However, within the Lake District National Park, the National Park Authority is now responsible for holding the records of definitive rights of way on behalf of the County Council and for making any changes to it.
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 we make 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 which help.

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 (2½ 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 the National Park Office. 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 lonoming, 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 form should then be forwarded to the Park Management Team, The Lake District National Park Authority, Murley Moss, Oxenholme Road, Kendal, Cumbria, LA9 7RL.

**Before you apply –**

We suggest that you phone us on 01539 724555 to discuss your application (or by email on hq@lake-distriict.gov.uk). It may help you to avoid some pitfalls, and we can check our records to make sure that it hasn’t already got some public rights, or already been assessed.

**References:**

- A guide to definitive maps and changes to public rights of way, Natural England [http://publications.naturalengland.org.uk/publication/31038](http://publications.naturalengland.org.uk/publication/31038)
APPLICATION FOR A MODIFICATION ORDER
The Cumbria County Council Definitive Map and/or Statement within the Lake District National Park - Wildlife and Countryside Act 1981

To: The Lake District National Park Authority, Murley Moss, Oxenholme Road, Kendal, Cumbria, LA9 7RL

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 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 footpath/bridleway/restricted byway/byway open to all traffic*
From:...................................................................................................................
To:......................................................................................................................
to a footpath/bridleway/restricted byway/byway open to all traffic *

(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 witnesses] 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.

For statements by witnesses, a form is available from the National Park Authority which suggests the relevant questions to be addressed.

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).
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 (i.e. the Lake District National Park Authority) 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 / byway open to all traffic which runs
from: Scratchy Face Lane [SD 2345 6789]
to: Cut Throat Lane [SD 2376 6745]

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 of the map should be not less than 2½ 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 witnesses) which the applicant wishes to adduce 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 Lake District National Park 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, 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.
NOTICE TO LANDOWNER OF APPLICATION FOR A MODIFICATION TO THE DEFINITIVE MAP AND STATEMENT
The Cumbria County Council Definitive Map and/or Statement within the Lake District National Park - Wildlife and Countryside Act 1981

To, .............................................................................................................................................................................(insert name of landowner)
Of .............................................................................................................................................................................(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 footpath/bridleway/restricted byway/byway open to all traffic*

From:.............................................................................................................................................................................
To:.............................................................................................................................................................................
to a footpath/bridleway/restricted byway/byway open to all traffic*

(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 notice

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

Date.........................................................................................................................................................................
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 principal 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 the National Park Authority giving full details of the steps you have taken in doing so using FORM D.

1.5 Once notice has been served on all the 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 the Lake District National Park Authority on 01539 724555 or hq@lakedistrict.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 named overleaf, not by the Lake District National Park Authority.
CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION FOR MODIFICATION ORDER
The Cumbria County Council Definitive Map and/or Statement within the Lake District National Park - Wildlife and Countryside Act 1981

To: Lake District National Park Authority
Murley Moss
Oxenholme Road
Kendal
Cumbria
LA9 7RL

I/We, ..........................................................(insert your name)
Of ..........................................................(insert your address)

hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife & 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 and occupiers affected by the proposal.

Notice of Application Sent To:

<table>
<thead>
<tr>
<th>Name</th>
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CERTIFICATE OF SERVICE OF NOTICE OF
APPLICATION FOR MODIFICATION ORDER
The Cumbria County Council Definitive Map and/or Statement within
the Lake District National Park - Wildlife and Countryside Act 1981

To: Lake District National Park Authority
    Murley Moss
    Oxenholme Road
    Kendal
    Cumbria
    LA9 7RL

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
* Register of Electors
* Land Registry
* Other appropriate sources [please state].

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: ............................................
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 on 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 addressed and sent to every owner and occupier of 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.
CLAIMED PUBLIC RIGHT OF WAY EVIDENCE 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. This will help us decide if the route should be recorded, and whether it is a public footpath, bridleway or byway. Please use this form to tell us about your own usage and knowledge of the route.

Return to whoever asked you to complete the form, or: The Park Management Team, Lake District National Park Authority, Murley Moss, Oxenholme Road, Kendal, Cumbria, LA9 7RL

YOUR NAME & ADDRESS

Full Name: (Mr/Mrs/Miss/Ms) ..............................................................................................................

Address: ........................................................................................................................................
........................................................................................................................................
........................................................................................................................................

Telephone number:........................................ e-mail........................................................................

Age: .................................... Occupation: ........................................................................................

WHERE IS THE PATH?

Although these questions refer to a claimed path, this form may be used for a claimed footpath, bridleway or a vehicular right of way. Please include a signed map of the route.

Where does the path go to and from?................................................................................................
........................................................................................................................................

Does the route have a name?..............................................................................................................

Do you think that the path is public or private?

☐ Public
☐ Private

DECLARATION

To the best of my knowledge and belief, the facts I am stating here are true. I acknowledge that this form may be copied to landowners or objectors.

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

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

Address.................................................................................................................................
........................................................................................................................................
........................................................................................................................................
YOUR USE OF THE PATH

When did you first use the path?  

How did you use it? (tick any that apply):

☐ on foot
☐ on horseback
☐ by bicycle
☐ by car
☐ other (please specify).

How often did you use it?

- This may have varied over the years – tick any that apply and give approximate dates.
- If usage is different for different types (for instance, more often on foot than on horse) please give some indication of this.

☐ Daily  
☐ Several days a week  
☐ Several days a month  
☐ Occasionally — state roughly how often.

Why did you use the path? (was it for pleasure or going shopping, etc)

Do you still use the path?

☐ No
☐ Yes

If No - when did you stop using it and why?

Have you ever been stopped, challenged or turned back when using the path?

☐ No
☐ Yes
  o by whom?

Have you ever been given permission to use the path?

☐ No
☐ Yes
  o by whom?
  o when?
  o what was said?
OTHER PEOPLE AND THE PATH

Do you know who owns the land over which the path runs?

☐ No
☐ Yes
  o who is it and where do they live?................................................................................
  .................................................................................................................................
  .................................................................................................................................

Did you meet (or have you seen) other people using the path?

☐ No
☐ Yes
  o how many & how often?................................................................................................
  o how were they using it? (on foot/horseback/bike/car).................................................

Are you, or have you ever been, a tenant or employee of the landowner?

☐ No
☐ Yes
  o has the landowner given you any instructions about the path?.........................
  o what were they?........................................................................................................
  .................................................................................................................................

Apart from the landowner or occupier and their visitors, who do you believe has a right to use the path (tick any that apply)?

☐ No-one
☐ Pedestrians
☐ Horseriders
☐ Cyclists
☐ Cars
☐ Others (please specify)..................................................................................................

Who else do you think we should contact who might have information about the path or have used it?
(Please give names and addresses).
WHAT WAS THE PATH LIKE?

Was there a visible or defined path to follow?

☐ No
☐ Yes
  o how wide was it?...........................................................................................................
  o what was the surface?.....................................................................................................

Were there any stiles or gates on the path?

☐ No
☐ Yes
  o what were they?............................................................................................................
  o where were they?...........................................................................................................
  o who maintained them?....................................................................................................
  ▪ if they were gates, were they ever locked?.................................................................
  ▪ who locked them?..........................................................................................................  

Were there any notices such as ‘Private’ ‘No right of way’ ‘path by permission of the landowner’, etc on the path?

☐ No
☐ Yes
  o what did they say?...........................................................................................................
  o where were they?...........................................................................................................
  o who put them up?............................................................................................................

Has anyone ever done any maintenance or improvement work on the path?

☐ No
☐ Yes
  o who did it?............................................................................................................................  

OTHER INFORMATION

A local public inquiry or hearing may have to be held about this - would you be willing to attend if necessary?

☐ No
☐ Yes

Is there anything else you wish to add? (continue on a separate sheet if necessary)
Public Rights of Way

**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 the National Park authority 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 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:-

   (1) "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 a 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.

   (2) 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**
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: The Park Management Team, Lake District National Park Authority, Murley Moss, Oxenholme Road, Kendal, Cumbria, LA9 7RL

Full Name and address

Email……………………………………………… 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).

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 for how long – who were the previous tenants, if possible going back to the 1920s.

What were the terms of the tenancy agreement? – for example, were there any conditions in it relating to rights of way. If so, please supply a copy.
Usage by the public

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

Are you aware of members of the public using the route? .................. .................. Yes/No

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.
Did you take any steps to stop people using the route? ................................. Yes/No

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).

Did you ever give anyone permission to use the route? ........................................ Yes/No
If so, when and who.

Stiles & Gates

Were you responsible for any stiles or gates on the route? .............................. Yes/No

If so, did you ever maintain them – please provide information on when, and so on.

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

Please provide any other information that you think may help us resolve this matter. Please continue on a separate sheet if required.

DECLARATION

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

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

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

Address of witness.............................................................
..............................................................................................
CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION FOR MODIFICATION ORDER
The Cumbria County Council Definitive Map and/or Statement within the Lake District National Park - Wildlife and Countryside Act 1981

To: Lake District National Park Authority
Murley Moss
Oxenholme Road
Kendal
Cumbria, LA9 7RL

PATH DETAILS:

PARISH: ____________________________

BELIEVED STATUS OF PATH: footpath/bridleway/restricted byway/byway open to all traffic*

FROM: _______________________________________________________________

TO: _________________________________________________________________

I/We of ________________________________ 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 notes on reverse of FORM A]:

<table>
<thead>
<tr>
<th>Document</th>
<th>CRO/PRO Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inclosure Award and Map*</td>
<td></td>
</tr>
<tr>
<td>Tithe Apportionment and Map*</td>
<td></td>
</tr>
<tr>
<td>Finance Act Maps*</td>
<td></td>
</tr>
<tr>
<td>Ordnance Survey Maps*</td>
<td></td>
</tr>
<tr>
<td>Railway/Canal Survey Maps and Schedules*</td>
<td></td>
</tr>
<tr>
<td>Estate Maps and Records*</td>
<td></td>
</tr>
<tr>
<td>Parish Council and Highway Board Minute Books*</td>
<td></td>
</tr>
<tr>
<td>Definitive Map Records*</td>
<td></td>
</tr>
<tr>
<td>Others [please state]</td>
<td></td>
</tr>
</tbody>
</table>

Signed: ____________________________________ Date: __________________________________

* Delete as appropriate