

# COMPLETING YOUR LAND OWNER EVIDENCE STATEMENT

Please read the first page of the land owner evidence statement (LOES) carefully because it details how the information you give will be used by the council. Guidance on each section on the LOES is set out below.

## **Declaration**

Please print your name, give telephone numbers, and an email address in the space provided. Sign and date the statement of truth.

## **About you**

Please complete this section fully.

## **Map of the application route**

Carefully draw the pieces of land you own on the map.

If you ever erected any signs, gates, stiles, fences or bridges along the route please mark their location on the map and add a note to explain what they are.

If you ever saw anyone using a different route to the one already shown please mark this on the map. Make sure that the line you use is different for each different route. For example, show the first route as a continuous line and show the next as a dashed line.

## **About your ownership or tenancy of the affected land**

1. Please tick the correct box.
2. Please give as much detail as you can about your ownership or tenancy of the land.
3. Please give as much information about your land lord as possible.
4. Please tick the correct box and enter as much information as possible. Please give at least a year when the Crown, government department, or Duchy of Lancaster disposed of the land.
5. Again please give as much detail as possible. If you are aware of where a previous owner is now living it would be helpful give this information.
6. Please tick the correct box and enter the name and address of the mortgage/load provider.

## **Witnessed use of the application route**

7. Please tick all the boxes that apply. You may be wondering why you, as a land owner, should admit to having seen the public using the route. However information like this is extremely likely to be uncovered during the investigations.

8. Please enter how often you saw different people using the route. For example, if you saw the same person every day of the week you would enter this as one. Conversely, if you saw seven different people once a week, you would record this as seven. If it was less frequently than weekly please feel free to amend this to monthly, annually etc.
9. If you did give people explicit permission it is vital that you give as much information as possible. We need to know their name, where they live (even if it is approximate), when you gave the permission, what you gave them permission to do, and if you ever withdrew that permission.
10. Again like 9, it is vital that you give as much information as you can about any challenges you made. We need to know where on the route you made the challenge, when it happened, how many people did you turn back and did you ever see them again. If you knew the people you challenged please give their names, otherwise please provide a basic description of them (male/female, number of people, did they have a dog and what sort was it if they did).

### **Steps taken to prevent public access**

11. Please tick the correct box and enter as much information as possible. There is no need to send us copies of any declarations you have made to City of York Council at this stage as we should have the documents on file. If you have ever made declarations under section 31(6) to another authority such as East Riding or North Yorkshire copies of those declarations would be useful.
12. Please tick the correct box and enter as much information as possible.
13. Please tick the correct box and enter as much information as possible
14. Please tick the correct box and enter as much information as possible. It is vital that you give as much detail as possible about the locking of gate. We are especially looking for information on how you communicated to the public that the gate was being locked to prevent the dedication of a public right of way as opposed to, for example, locking a gate because you were moving a bull from one area of the farm to another. Please do not forget to mark the location of locked gates on the map in the LOES.
15. Please tick the correct box and enter as much information as possible. It is vital that you give as much detail as possible about the removal of the stile. We are especially looking for information on how you communicated to the public that the stile was being removed to prevent the dedication of a public right of way as opposed to, for example, replacing the fence that the stile crossed. Please do not forget to mark the location of the former stile on the map in the LOES.
16. Please tick the correct box and enter as much information as possible. It is vital that you give as much detail as possible about the blocking of the gap. We are especially looking for information on how you communicated to the public that the gap was being blocked to prevent the dedication of a public right of way as opposed to, for example, replanting a boundary hedge. Please do not forget to mark the location of the former gap on the map in the LOES.

17. Please tick the correct box and enter as much information as possible. It is vital that you give as much detail as possible about the installation of the fence or hedge. We are especially looking for information on how you communicated to the public that the fence or hedge was being installed to prevent the dedication of a public right of way as opposed to, for example, replanting a boundary hedge. Please do not forget to mark the location of the new fence/hedge on the map in the LOES.

18. Please tick the correct box and enter as much information as possible. Again we are particularly looking for information on how you communicated that your actions were to stop the dedication of a PRow.

### Other information

Please use this space for any other information you think might be helpful. Please remember that the legislation only allows consideration of evidence that demonstrates whether or not the route is a public highway. This means the following are not relevant:

Desirability of the route	Not relevant
Impact on security (including bio-security)	Not relevant
Impact on farming/forestry operations	Not relevant
Impact on property value	Not relevant
Possible safety hazards created by the route becoming a PRow	Not relevant
Impact on wildlife and bio-diversity	Not relevant
Impact on historical sites	Not relevant
Impact on your privacy	Not relevant
Impact on business activity	Not relevant
Impact on development or potential development	Not relevant

The issues that are listed above as being not relevant can be dealt with by other means such as diversion of the PRow once the DMMO process is complete.