Claimed public footpath from Asheridge Road to Fair Leas, Chesham

Background papers

Pages

2 - 5 1969, 1988, 2003, 2010 & 2020 Aerial Photos

6 - 7 Ordnance Survey Maps 1877, 1897, 1972 – 1990

8 Extract from Town Council Meeting - dedication of Open Access Land – 23 December 1982

9 - 12 Responses from Cllr P. Birchley, Cllr P. Jones, UK Power Networks, Cllr J. MacBean forwarding email from Seargants [redacted]

13 - 20 Land Registry Details

21 - 53 Witness interviews

54 - 188 Application and Evidence

Aerial Photo dated 1969

Aerial photo dated 10/04/1988

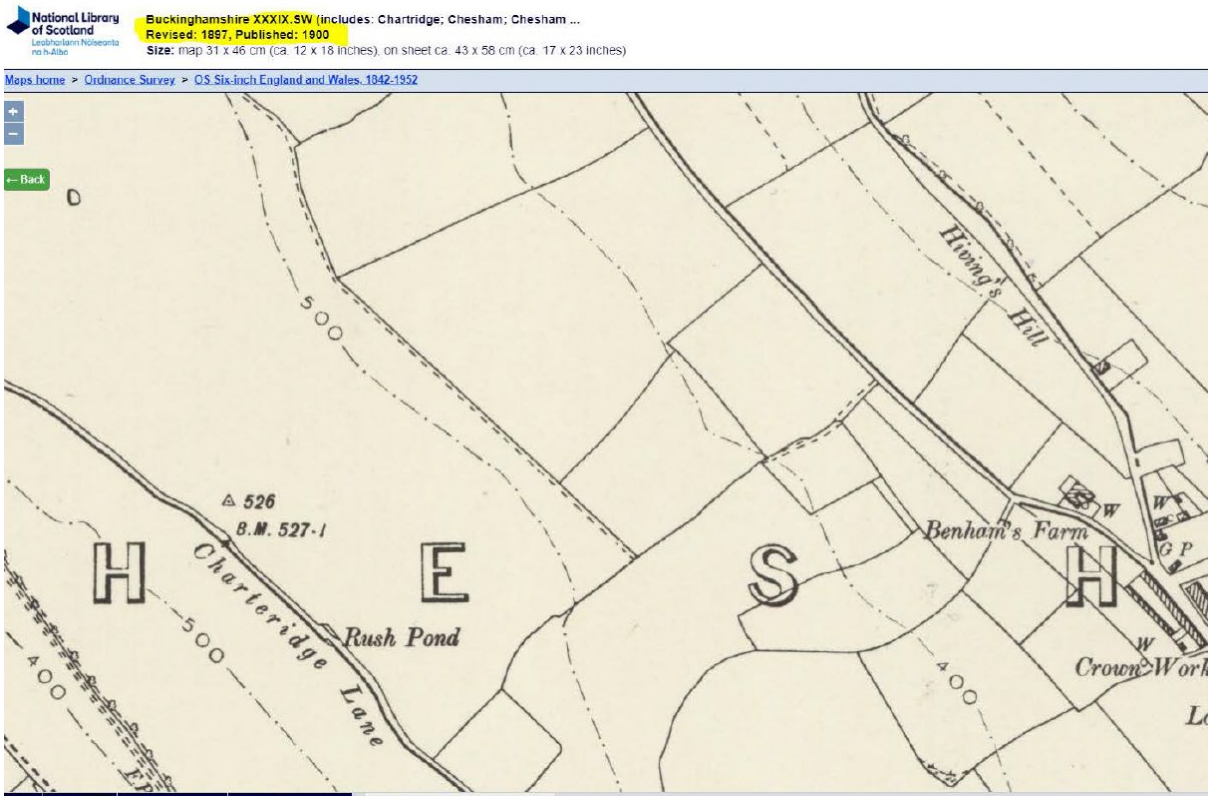
Aerial photo dated 2006

Aerial photo dated 2010

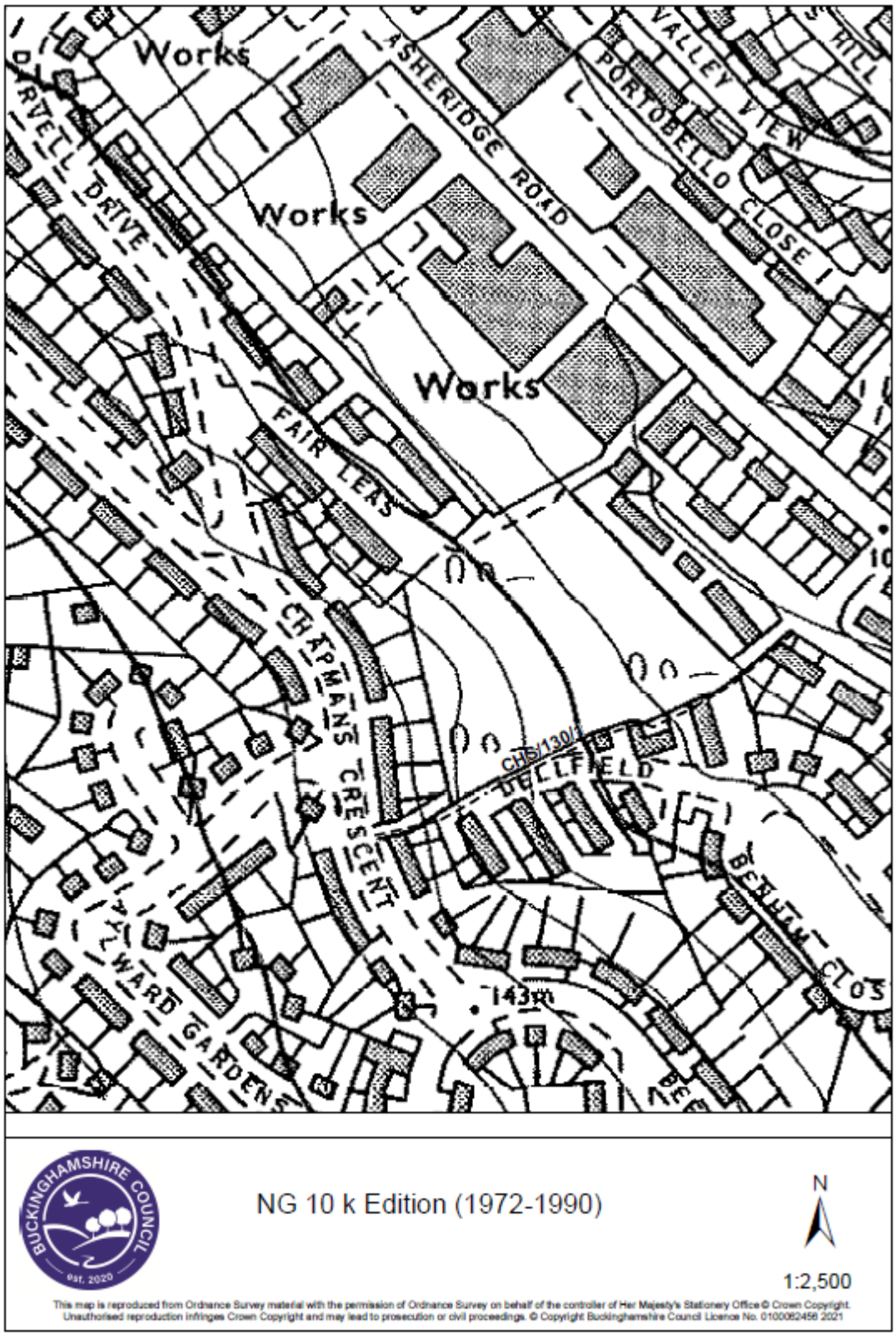
Aerial photo dated 2020

Ordinance Survey Map 1877

Ordinance Survey Map 1897



Ordinance Survey Map 1972-1990



Extract from Town Council Meeting - dedication of Open Access Land – 23 December 1982

CHESHAM TOWN COUNCIL

EXTRACT FROM THE MINUTES OF A MEETING OF THE ALLOTMENTS COMMITTEE HELD IN THE COUNCIL CHAMBER, THE MALT HOUSE, CHESHAM ON MONDAY 22nd NOVEMBER, 1982

MINUTE NO.12 - CO-OP FIELD, DEANSWAY - PROPOSED DEDICATION TO THE PUBLIC

Following further consideration of this matter and the advice obtained by the Clerk of the Council from the National Association of Local Councils, it was

Moved by Councillor A.J. Redrup
Seconded by Councillor Mrs. L. Mountain and

RESOLVED TO RECOMMEND

that the Co-Op Field, Deansway, shall henceforth be dedicated as a Public Open Space under the provisions of the Open Spaces Act 1906 and the Council's byelaws, as appropriate, shall apply to this area.

The foregoing recommendation was ratified in full at an Ordinary Meeting of the Council held on Wednesday 22nd December, 1982

[redacted]
CLERK OF THE COUNCIL

23rd December, 1982

Response from Cllr P. Birchley – 14 October 2020

From: Patricia Birchley (Cllr)
To: Ela Hackling
Subject: RE: Buckinghamshire Council Definitive Map and Statement Modification Order - Chesham
Date: 14 October 2020 13:48:37

Happy to support this request to modify the definitive map as shown on the attachment to this email.

Kind Regards,
Cllr Patricia Birchley
Chiltern Ridges Division
Buckinghamshire Council
Patricia.Birchley@buckinghamshire.gov.uk
07714 704017

From: Ela Hackling <ela.hackling@buckinghamshire.gov.uk>
Sent: 14 October 2020 11:58
Subject: Buckinghamshire Council Definitive Map and Statement Modification Order - Chesham

Dear Sirs

Wildlife and Countryside Act 1981 – Section 53
Buckinghamshire Council Definitive Map and Statement
Application for a Modification Order – Chesham

Response from Cllr P. Jones – 15 October 2020

From: Peter Jones (Cllr)
To: Ela Hackling
Subject: Re: Buckinghamshire Council Definitive Map and Statement Modification Order - Chesham
Date: 15 October 2020 16:37:14

Thank you Ela.

I confirm I have walked this path in the past year.

Best regards, Peter
Member, The Buckinghamshire Council
Chiltern Ridges Division
Previously Chiltern DC Councillor for Ballinger, South Heath & Chartridge
01494 784681 - 07850 972507

From: Ela Hackling <ela.hackling@buckinghamshire.gov.uk>
Sent: Wednesday, October 14, 2020 11:57:33 AM
Subject: Buckinghamshire Council Definitive Map and Statement Modification Order - Chesham

Dear Sirs

Wildlife and Countryside Act 1981 – Section 53
Buckinghamshire Council Definitive Map and Statement
Application for a Modification Order – Chesham

The Buckinghamshire Council has received an application to modify the Definitive Map and Statement for Buckinghamshire by showing as a footpath the route from Asheridge Road to Fair Leas in Chesham, as shown on the attached plan between points A-B-C-D-E.
The application has been made on the basis of user evidence which the applicant considers to indicate the way should be recorded on the Definitive Map and Statement.

Response from UK Power Network – 11 November 2020

From: MBX-Consents Enquiries
To: Ela Hackling
Subject: [EXTERNAL] Your Ref EH/16855CCR - Application to Modify the Public Rights of Way Definitive Map & Statement Claimed Footpath, Chesham Town
Date: 11 November 2020 09:54:51
Attachments: BM337252 - Caution.pdf
BM337252 - Caution Plan.pdf
Deed of Grant - BM313415.pdf

[Please note this has been sent from an **external source** - treat with caution and **do not open** attachments / use links until you are sure this is a trusted communication see intranet/IT for advice.]

Dear Ela Hackling – Definitive Map Officer

We refer to your correspondence relating to the above and Public Footpath between points A-B on the provided plan between Asheridge Road and Fair Leas in Chesham.

UK Power Networks does not own the land indicated between these points, however we do have Access & Cable rights over/under this area to our substation named 'Van Houten'. These are also referred to under land Registry BM33752 Caution, please find copies attached.

We have no objections to the proposal providing our company's usual statutory rights of protection are incorporated.

I trust that this information will be of assistance.

Regards

[redacted]

Property & Consents (EPN),
UK Power Networks,
Barton Road, Bury St Edmunds, IP32 7BG
Tel: 03301 591841
E-mail consents@ukpowernetworks.co.uk

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Response from Cllr Jane MacBean forwarding email from Sergeant Evans – 23 November 2020

From: Jane Macbean (Cllr)
To: Ela Hackling
Subject: FW: [EXTERNAL] RE: Buckinghamshire Council Definitive Map and Statement Modification Order - Chesham
Date: 23 November 2020 22:41:27
Attachments: image001.png

Hi Ela

I hope you're well. I've been swapping emails with our local policing sargeant about the proposed creation of an additional footpath through Co-op Field in Chesham. Please see his comments below.

Thanks,

Jane

Cllr Jane MacBean

Buckinghamshire Council – Chiltern Ridges
Chesham Town Council – Lowndes
Tel: 07812 177 794
jane.macbean@buckinghamshire.gov.uk
jmacbean@chesham.gov.uk
janemacbean1@icloud.com
www.facebook.com/cheshamcouncillors

From: [redacted]
Date: Monday, 26 October 2020 at 07:51
To: Jane Macbean (Cllr) <Jane.MacBean@buckinghamshire.gov.uk>
Subject: [EXTERNAL] RE: Buckinghamshire Council Definitive Map and Statement Modification Order - Chesham

Hi Jane

Sorry for the massive delay with this. The email must have slipped through as for some reason, it was in my "Quarantine folder!".

You are correct, this field is hard to manage if you have people inside that you need to contain. The current route through from Short way / deansway to Chapmans Crescent does have quite a few "Gaps in the hedge" so people can scarper easily via Dell field / garages .

I'm not really sure on the purpose of another footpath to Asheridge Road. I'm sure there are reasons I just don't understand why when there is a path already in place.

[redacted]

Address | Chesham Police Station, Broad Street, Chesham, Buckinghamshire

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The TVP Blue Light Network believes that no-one should struggle with Mental Health concerns alone
If you, or someone you know is struggling with stress or mental health difficulties, visit Blue Light livelink for information and to find out about the support available within Thames Valley Police.

For my duties, please click on: http://dms2/?collarno=P5969

From: Jane Macbean (Cllr) [mailto:Jane.MacBean@buckinghamshire.gov.uk]
Sent: 15 October 2020 22:34
To: [redacted]
Subject: FW: Buckinghamshire Council Definitive Map and Statement Modification Order - Chesham

Hi [redacted]

Can you take a look at this for me. It relates to a request from Cllrs Bacon and Fayyaz to have an additional official footpath established from Asheridge Road and up into Co-Op Field via the bottom right corner. I remember a conversation a year or two ago about how difficult it is to police Co-Op Field because it already has a couple of entrances so as the police enter one way little tykes scarper out another way. What are your thoughts on creating another permanent access point?

Cheers,

Jane

Cllr Jane MacBean

Buckinghamshire Council – Chiltern Ridges
Chesham Town Council – Lowndes
Tel: 07812 177 794
jane.macbean@buckinghamshire.gov.uk
jmacbean@chesham.gov.uk
janemacbean1@icloud.com
www.facebook.com/cheshamcouncillors

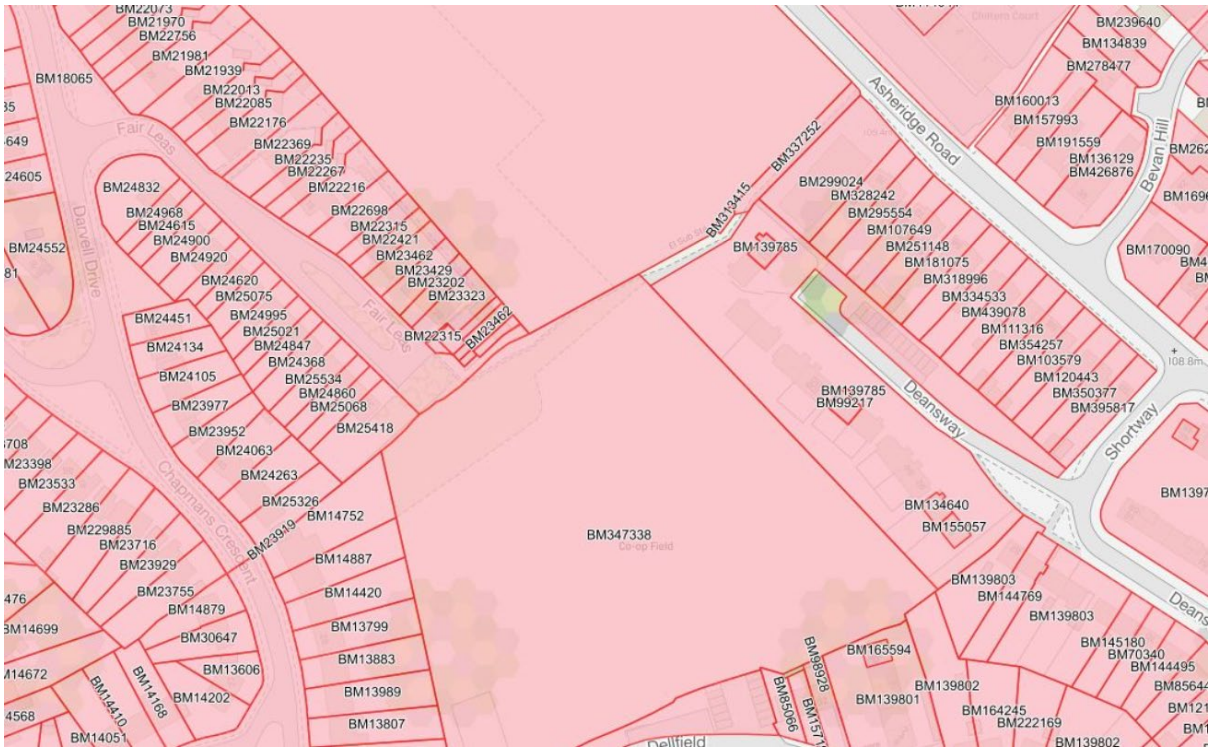
From: Ela Hackling <ela.hackling@buckinghamshire.gov.uk>
Date: Wednesday, 14 October 2020 at 11:57
Subject: Buckinghamshire Council Definitive Map and Statement Modification Order - Chesham

Dear Sirs

Wildlife and Countryside Act 1981 – Section 53
Buckinghamshire Council Definitive Map and Statement
Application for a Modification Order – Chesham

The Buckinghamshire Council has received an application to modify the Definitive Map and Statement for Buckinghamshire by showing as a footpath the route from Asheridge Road to Fair Leas in

Land Registry Documents.



THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 9 OCT 2020 AT 14:43:47. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, LEICESTER OFFICE.

TITLE NUMBER: BM10065

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

BUCKINGHAMSHIRE : CHILTERN

1 (26.07.1961) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land on the South West side of Asheridge Road, Chesham.

2 A Conveyance dated 10 March 1961 made between (1) Albert Edward Darvell and (2) Comben & Wakeling Limited contains the following rights:-

"TOGETHER WITH a right of way at all times and for all purposes over the roadway or track coloured blue on the said plan and being fifteen feet or thereabouts in width."

NOTE: The land coloured blue is tinted brown on the title plan.

3 The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

4 A new title plan on an enlarged scale based on the latest revision of the Ordnance Survey Map has been substituted for the original plan.

5 Where the parts edged and numbered in green on the title plan include parts of garage accessways, rights of way are reserved thereover.

6 Where the parts edged and numbered in green on the title plan include parts of the land hatched blue on the title plan rights of way on foot only are reserved thereover.

7 (08.03.2020) From 1 April 2020, this title is administered by Buckinghamshire Council

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (14.11.1995) PROPRIETOR: GROUP ONE INVESTMENTS LIMITED (Co. Regn. No. 2483981) of St Alphage House, 2 Fore Street, London EC2Y 5DA.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The roads included in the title are subject to rights of way.

C: Charges Register continued

2 The roads included in the title and the land tinted blue on the title plan are subject to rights to lay thereunder maintain inspect renew use alter and remove electric cables and lines conduits or pipes with rights ancillary thereto.

3 The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.

4 The land is subject to rights of drainage.

5 The garage accessways included in the title are subject to rights of way.

6 The land hatched blue on the title plan is subject to rights of way on foot only.

7 The respective garages appurtenant to 17 to 29 (odd numbers) Fair Leas are subject to rights of support in favour of adjoining garages edged and numbered in green on the title plan.

Schedule of notices of leases

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
1	21.08.1962 3 (part of)	106 Asheridge Road (Lower Maisonette) and Garage 106	09.08.1962 99 years from 25.3.1962	BM20548
2	13.09.1962 6 (part of) and 7	8 Darvell Drive (Lower Maisonette) and Garage 8	14.08.1962 99 years from 24.6.1962	BM20704
3	19.11.1962 21 (part of) and 22	27 Darvell Drive (Lower Maisonette) and Garage 27	30.10.1962 99 years from 24.6.1962	BM21090
4	30.01.1963 32 (part of) and 33	15 Darvell Drive (Lower Maisonette) and Garage 15	06.11.1962 99 years from 24.6.1962	BM21497
5	27.03.1963 40 (part of) and 41	11 Darvell Drive (Lower Maisonette) and Garage 11	20.03.1963 99 years from 29.9.1962	BM21726
6	13.05.1963 38 (part of) and 46	21 Darvell Drive (upper maisonette) and garage 21	03.05.1963 99 years from 25.12.1962	BM21938
7	29.04.1992 26 (part of) and 37	3 Darvell Drive (lower maisonette) and garage	03.04.1992 129 years from 25.12.1962	BM170981
8	15.11.1999 3 (part of)	104 Asheridge Road (upper maisonette) and garage	05.08.1999 161 years from 24.6.1999	BM246532
9	28.11.2001 6 (part of) and 31	6 Darvell Drive (upper maisonette) and garage 6	16.07.2001 99 years from 24.06.2001	BM266615
10	11.07.2003 29 (part of) and 35	17 Darvell Drive (upper maisonette) and garage 17	16.04.2003 189 years from 25.12.1962	BM282917
11	05.08.2003 4 (part of) and 5	14 Darvell Drive (Upper Maisonette) and Garage 14	20.06.2003 189 years from 24.6.1962	BM283658
12	05.09.2003 29 (part of) and 30	19 Darvell Drive (lower maisonette) and garage 19	15.04.2003 189 years from 25.12.1962	BM284560

Schedule of notices of leases continued

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
13	15.04.2004 40 (part of) and 42	9 Darvell Drive (upper maisonette), garage 9 and garden ground	03.03.2004 147 years from 25.12.2003	BM290970
14	23.08.2004 8 (part of) and 50	7 Darvell Drive (lower maisonette) and garage 7	14.07.2004 99 years from 24.6.2004	BM294495
15	07.10.2004 19 (part of) and 20	12 Darvell Drive (lower maisonette) and garage	24.09.2004 147 years from 24.6.2004	BM295655
16	28.07.2008 49 (part of)	100 Asheridge Road (upper maisonette)	14.07.2008 125 years from 24.6.2008	BM337772
17	17.02.2014 21 (part of) and 45	25 Darvell Drive (upper maisonette) and garage 26	09.12.2013 125 years from 29.9.2013	BM386802
18	03.11.2014 6 (part of) and 7	8 Darvell Drive (lower maisonette) and garage 8	23.10.2014 125 years from 24.6.2014	BM392072
19	24.11.2014 4 (Part of) and 24	16 Darvell Drive (Lower Maisonette) and Garage 16	03.11.2014 125 years from 24.06.2014	BM392547
20	06.02.2015 32 (part of); 34	13 Darvell Drive (upper maisonette); Garage 13	29.01.2015 125 years from 24.6.2014	BM394767
21	08.01.2018 8 (part of) : 9	5 Darvell Drive (Upper Maisonette) and garage and garden ground	19.12.2017 198 years from 24.06.2004	BM295194
22	17.12.2018 43 (part of) 44	18 Darvell Drive (Upper Maisonette and Garden Ground) Garage	16.11.2018 189 years from 24 June 2000	BM429037
	NOTE: The lease was made under the provisions of section 56 or 93(4) of the Leasehold Reform, Housing and Urban Development Act 1993.			
23	20.12.2018 38 (part of) and 39	23 Darvell Drive (Lower Maisonette) and Garage 23 and Garden Ground	07.12.2018 125 years from 29 September 2018	BM429149
24	01.04.2019 43 (part of) and 48	20 Darvell Drive (Lower Maisonette) garden ground and garage	22.03.2019 125 years from 29 September 2018	BM431660
25	03.05.2019 19 (part of) : 28	10 Darvell Drive (Upper maisonette) garage and garden ground	25.04.2019 125 years from 25 March 2019	BM432523
26	21.05.2019 49 (part of)	102 Asheridge Road (lower maisonette)	14.05.2019 125 years from 25/03/2019	BM432955
27	05.11.2019 26 (part of) and 27	1 Darvell Drive (Upper Maisonette) and Garage 1	24.10.2019 189 years from 24 June 1962	BM437482
	NOTE: The lease was made under the provisions of section 56 or 93(4) of the Leasehold Reform, Housing and Urban Development Act 1993			

End of register

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 9 OCT 2020 AT 14:31:46. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, LEICESTER OFFICE.

TITLE NUMBER: BM337252

There is no application or official search pending against this title.

Caution register kept under Section 19 of the Land Registration Act 2002

A: Caution Property Register

Containing a description of the legal estate to which the caution relates.

BUCKINGHAMSHIRE : CHILTERN

1 (15.07.2008) Caution against first registration of the freehold estate in land relating to the land shown edged with red on the caution plan of the above title filed at the Registry and being Land at Asheridge Road, Chesham.

2 (15.07.2008) The conveyancer's certificate accompanying the caution states the cautioner claims the following interest in the estate:

Having the benefit of a legal easement over the land shown by coloured green to the Lease dated 28 February 2002 and Deed of Grant dated 18 August 1959 for the benefit of an electricity sub-station site title to which is registered under BM313415.

3 (08.03.2020) From 1 April 2020, this title is administered by Buckinghamshire Council

B: Cautioner's Register

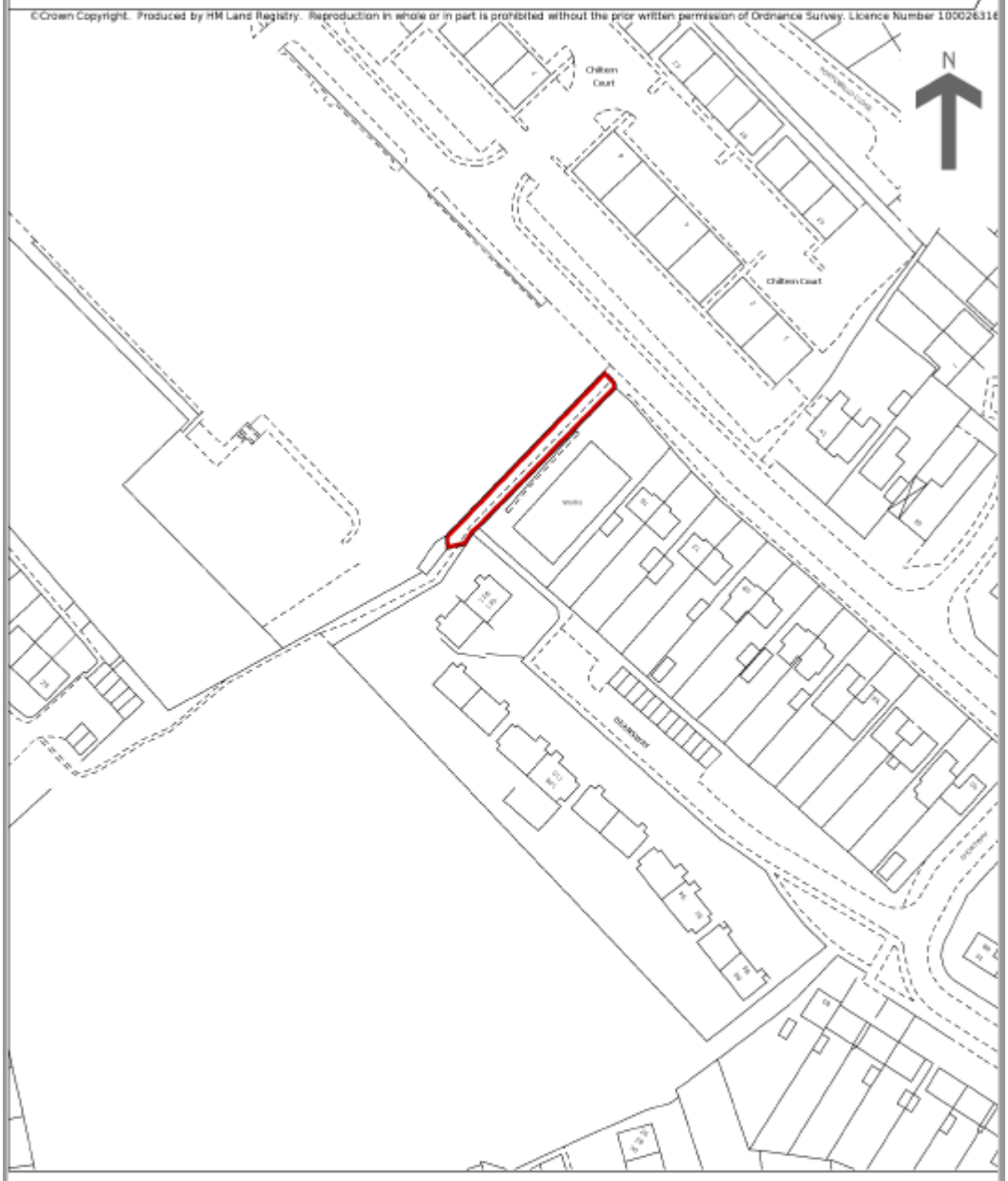
Containing the name of the cautioner, address(es) for service and details of any person consenting to the lodging of the caution.

1 (10.02.2011) CAUTIONER: EASTERN POWER NETWORKS PLC (Co. Regn. No. 02366906) of Newington House, 237 Southwark Bridge Road, London, SE1 6NP.

End of caution register

HM Land Registry
Current caution plan

Title number **BM337252**
Ordnance Survey map reference **SP9502NW**
Scale **1:1250**
Administrative area **Buckinghamshire : Chiltern**



This is a print of the view of the caution plan obtained from HM Land Registry showing the state of the caution plan on 09 October 2020 at 14:32:29. This caution plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This caution is dealt with by HM Land Registry, Leicester Office.

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 9 OCT 2020 AT 14:39:05. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, LEICESTER OFFICE.

TITLE NUMBER: BM347339

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

BUCKINGHAMSHIRE : CHILTERN

1 (10.09.2009) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land on the north side of Dellfield, Chesham.

2 (08.03.2020) From 1 April 2020, this title is administered by Buckinghamshire Council

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (10.09.2009) PROPRIETOR: CHESHAM TOWN COUNCIL of Town Hall, Chesham, Buckinghamshire HP5 1DS.

2 (10.09.2009) The value as at 20 August 2009 for the land in this title and other land was stated to be over £1,000,000.

End of register

HM Land Registry
Current title plan

Title number **BM347338**
Ordnance Survey map reference **SP9502NW**
Scale **1:1250**
Administrative area **Buckinghamshire : Chiltern**

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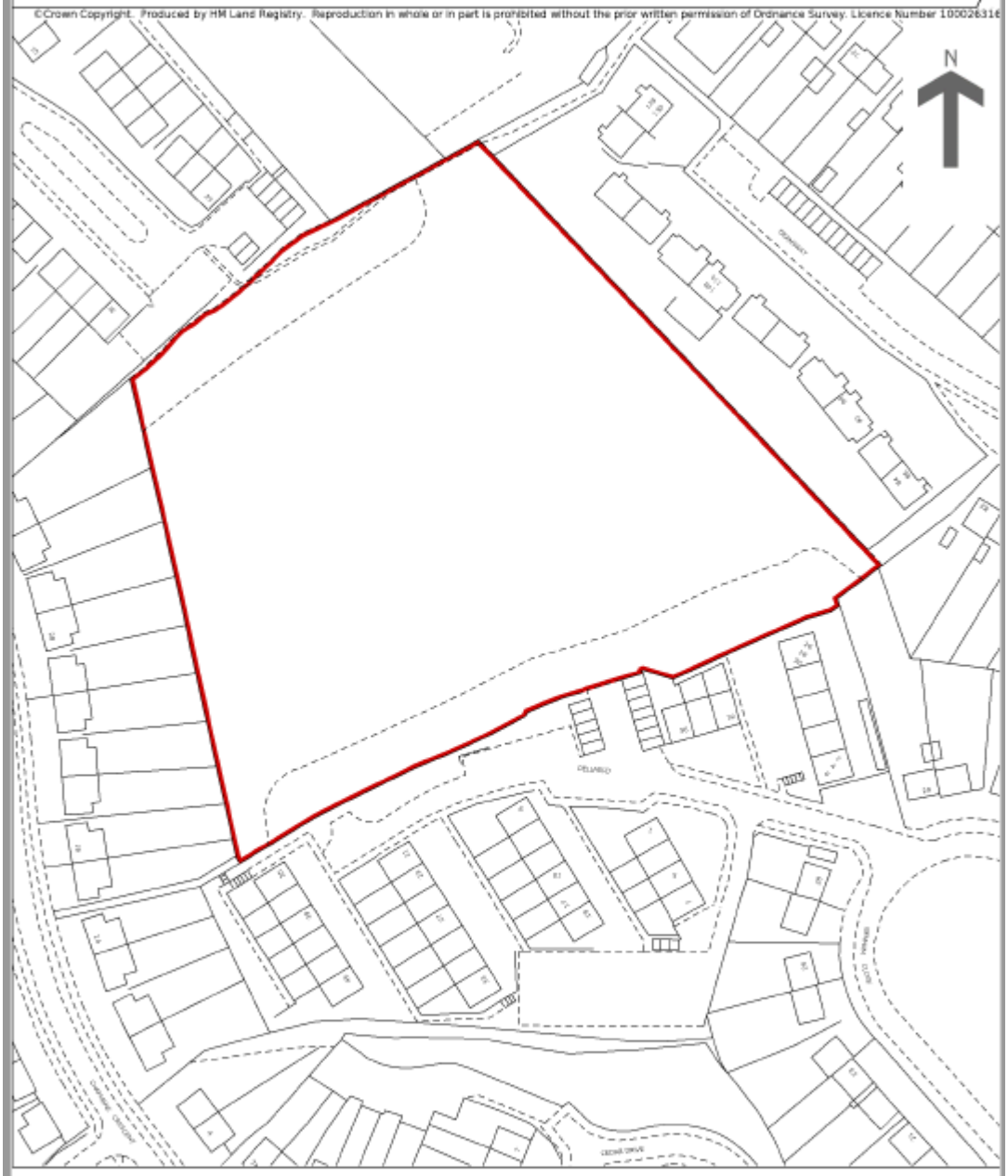

This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 09 October 2020 at 14:41:49. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

Witness 1.

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness: [redacted]

Route:
Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.

Follows tarmac path through wooded area from Fair Leas and enters the co-op field. Path continues in Co-op Field, then running alongside substation joining Asheridge Road.

Town Council put tarmac down- according to [redacted] (during her time as Town Councillor).

Yes

Usage:
During which years have you used the route?

Not regularly, applicant was aware of the path, worked on cutting bushes, not regular user.

2014-16 – interest in path, litter pick, Chiltern Rangers cutting trees, 2016 date was used when application was put in.

Have there been any gaps in your usage?

Not regular use.

By what means would you use the route and how frequently was the usage:

a) by car?

b) by bicycle?

c) on foot? – infrequent use

d) on horseback?

e) any other means e.g. horse and cart, motorcycle?

For what purpose? Where were you going to and from?

- checking on co-op field,
- path was/is in applicants ward,
- walking not always the whole footpath,
- to check on footpath,
- accessed from both ends.

[redacted] 5/11/20

Details of route:
Has the route always been the same? Direction, width, surface? When & Where if different?
Yes, always the same, no change.
Community Association cut vegetation, Town Council maintained the field – cutting grass. Width depending on vegetation, no change in fencing. Surfaced from Fair Leas to Co-op Field, over 30 years ago.

Have there ever been any stiles or gates on the route? If yes What, When & Where?

No.
Other witnesses remember rope being put up on Good Friday possibly showing it is permissive route – not in practice in last 30 years (possibly up to 1980 only).

How wide is the route?
Varies. Wooded area, on tarmac - wide for one person. Rest of the route 2 people can comfortably pass.

Field path – used for recreation, used to have a play area, open for public to use.

Landowner:
Have you ever worked for the landowner or are you a friend of the landowner? Dates.

Chesham Town Council – No, I have not worked for Chesham Town Council.
Chesham Town Councillor in years 1991- 2020.
No involvement with other landowners.

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?
No view from Town Clark, nor discussed by Town Council.

Obstructions:
Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No.

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No.

[redacted] and [redacted] told that the Town Council used to put a rope across the path on Good Friday. This would have been before 1980.

Notices:
Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.
No.

[redacted] 22 5/11/20

Permission:
Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?
No.

Have you seen other people using the route? If yes, when?

Yes. Using part of the route. People walking the field.

Anything else.....

Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature [redacted] **Date** 5/11/20

Telephone interview ☑

Chesham Claimed Footpath

claimed footpath

N

1:1,250

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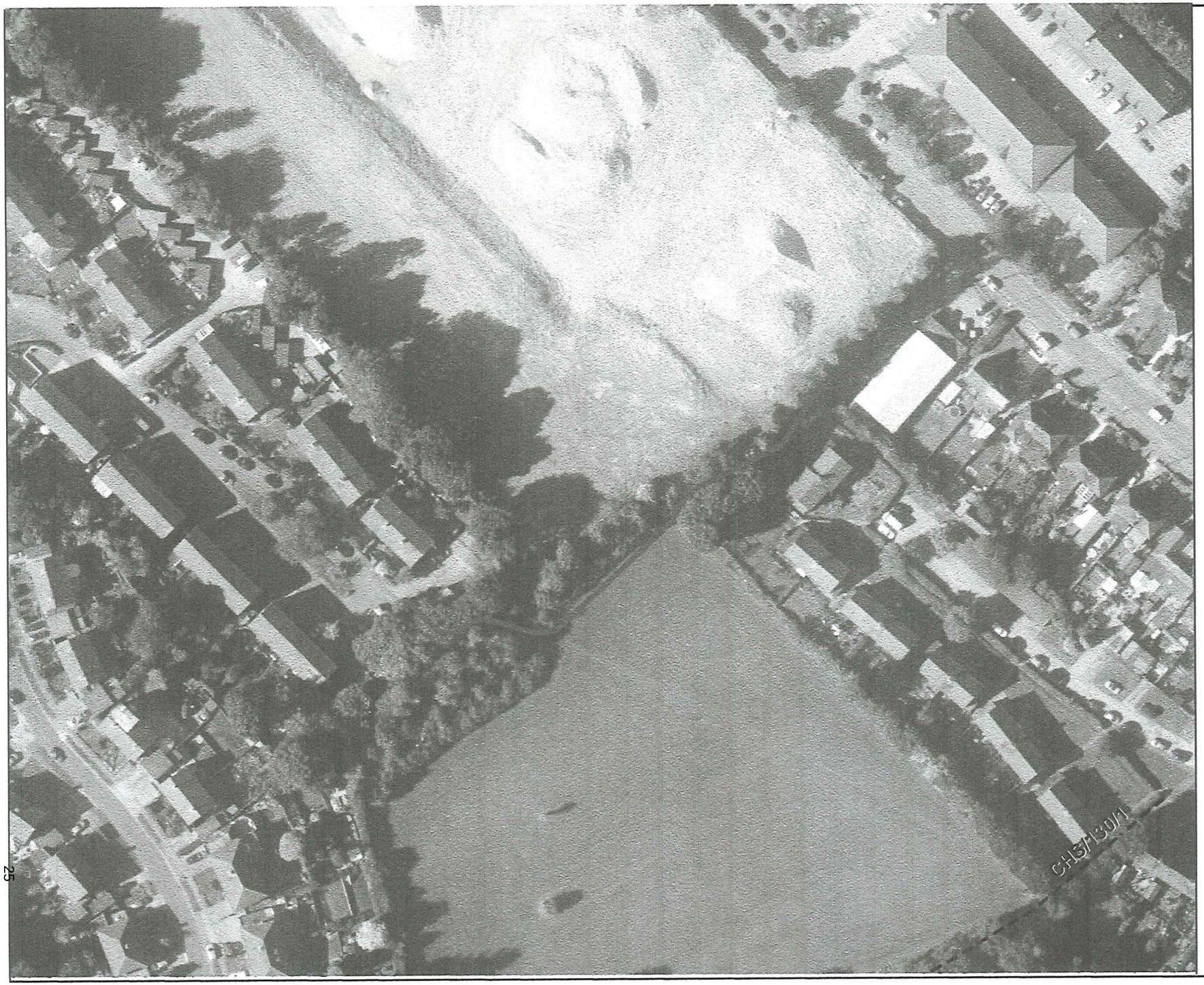
[redacted]

5/11/20



Chesham Claimed Footpath

claimed footpath

[redacted]

5/11/20

N

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Witness 3.

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness: [redacted]

Route:
Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.

Provided [redacted] with map. Path used to run alongside blue line and now is more like red line.

Usage:
During which years have you used the route?

Started using in 60's.

Have there been any gaps in your usage?

Not asked.

By what means would you use the route and how frequently was the usage:

a) by car?

b) by bicycle?

c) on foot? - every day

d) on horseback?

e) any other means e.g. horse and cart, motorcycle?

For what purpose? Where were you going to and from?

Walking the dog from Fair Leas to the field.

Details of route:
Has the route always been the same? Direction, width, surface? When & Where if different?

There was less bushes alongside the field.

[redacted] asked Town Council to tarmac the route in the 60's, as it was getting quite muddy.

Have there ever been any stiles or gates on the route? If yes What, When & Where?

No.

How wide is the route?

Not asked.

Landowner:

Have you ever worked for the landowner or are you a friend of the landowner? Dates.

Town councillor in 70's

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:
Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No.

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

Barrier across on Good Friday blocking entrance to the field.

Notices:
Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

No.

Permission:
Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No.

Have you seen other people using the route? If yes, when?

Not asked.

Anything else…….

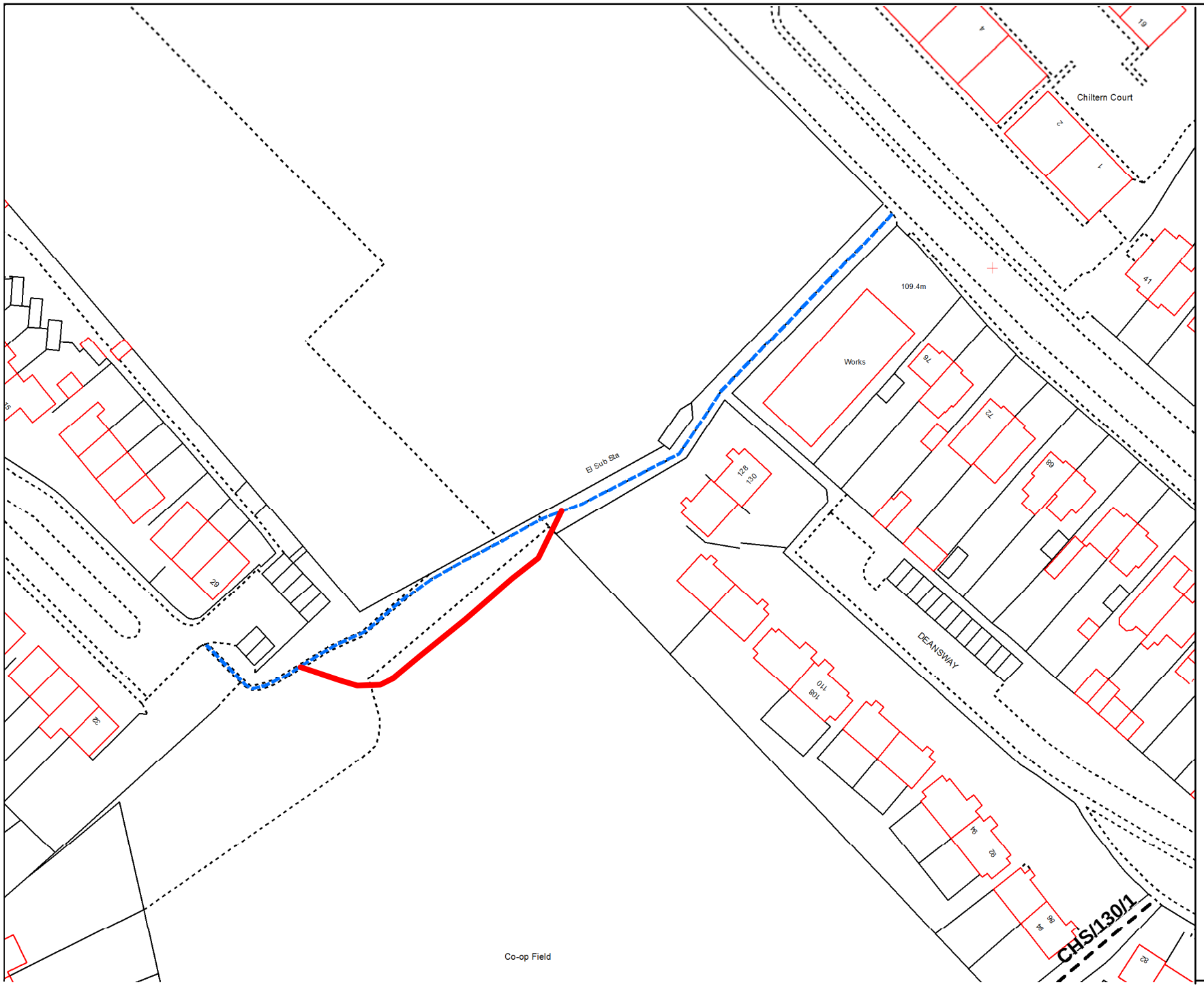
Explain procedure

Willing to attend public inquiry? Not asked.

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature …… Date ……

Telephone interview ☐



Insert Title

Public Rights of Way

- FOOTPATH
- BRIDLEWAY
- RESTRICTED BYWAY
- BYWAY OPEN TO ALL TRAFFIC
- PARISH BOUNDARY

N

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Witness 9.

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness: [redacted]

Route:
Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.

Agreed plan in the witness statement incorrect. New alignment agreed on.

Usage:
During which years have you used the route?

1986-2020

Have there been any gaps in your usage?
No. Possibly couple of months.

By what means would you use the route and how frequently was the usage:

a) by car?

b) by bicycle? – 3 time a year

c) on foot? – 20 - 30 a year

d) on horseback?

e) any other means e.g. horse and cart, motorcycle?

For what purpose? Where were you going to and from?

From home to shop in Asheridge Road, sometimes for walk in Chesham, to pub on Berkamsted Road, to visit family

Details of route:
Has the route always been the same? Direction, width, surface? When & Where if different?
Yes,
Sometimes using other route to the fields, 15 feet away, just gap in trees

1986 – tarmac since remember, used to use push chair taking kids to field

Have there ever been any stiles or gates on the route? If yes What, When & Where?

No.

No recollection of rope being put up on Good Friday since living there from 1986.

How wide is the route?
2-3 meters, top woodland 1 meter wide, open in field

Landowner:
Have you ever worked for the landowner or are you a friend of the landowner? Dates.

No, no idea thinks council owns the field, don't know others.

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:
Have you ever been stopped, turned away, or told the way is not for public use? Dates.
No.

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No.
No recollection of rope being put up on Good Friday since living there from 1986.

Notices:
Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

No.

Permission:
Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No

Have you seen other people using the route? If yes, when?
Yes, seeing certain gentlemen waking every day, passed people alongside the route.

Anything else…….

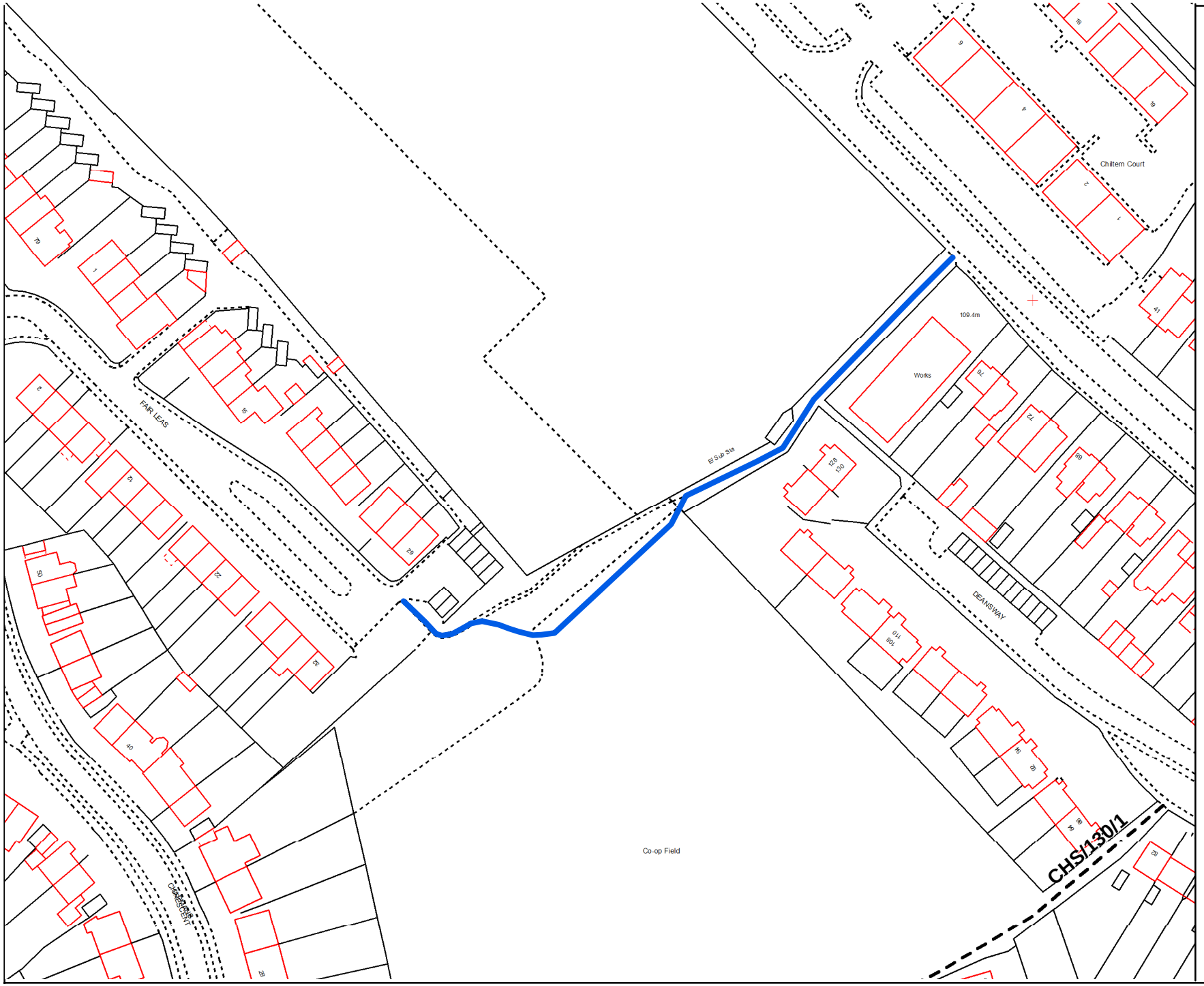
Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature …… Date ……

Telephone interview ☐



Chesham Claimed Footpath

claimed footpath

N

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Witness 10.

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness: [redacted]

Route:
Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.

Agreed plan in the witness statement incorrect. New alignment agreed on.

Usage:
During which years have you used the route?

1986-2020

Have there been any gaps in your usage?

No.

By what means would you use the route and how frequently was the usage:

a) by car?

b) by bicycle?

c) on foot? – 1-2 per week

d) on horseback?

e) any other means e.g. horse and cart, motorcycle?

For what purpose? Where were you going to and from?
Down to town, doctors, accessed from both ways

Details of route:
Has the route always been the same? Direction, width, surface? When & Where if different?
Yes.

Have there ever been any stiles or gates on the route? If yes What, When & Where?

Gate on bottom from Deans Way to path15 years ago always open to stop cars going to field, erected by council, but not affecting alignment of claimed path.

How wide is the route?
Wide enough to pass another person.

Landowner:
Have you ever worked for the landowner or are you a friend of the landowner? Dates.

No.

Don't know who own it

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:
Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No.

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No.

No recollection of rope being put up on Good Friday since living there from 1986, police tape during murder investigation – 15-20 years ago

Notices:
Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

No.

Permission:
Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?
No.

Have you seen other people using the route? If yes, when?

Seen people with children going to school or field, dog walkers, walkers.

Anything else…….

Moved in 1986 and tarmac always there, no idea who put it down.

Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature …… Date ……

Telephone interview ☐

From: [redacted]
To: Ela Hackling
Cc: [redacted]
Subject: [EXTERNAL] Re: interviews Chesham
Date: 10 November 2020 09:36:47

Dear Ms Hackling

Thank you for your email.

Apart from the spelling of walking (waking) under Permissions, we can confirm the information in our interview forms is correct, and the updated alignment path is the path we have been using since 1986.

Please note there is a Dog Waste Bin at the bottom end of the Tarmac section (where it meets the field) which is emptied regularly (by the council I believe) via the Tarmac section of path. The workers van is parked in Fair Leas.

King Regards

[redacted]

Sent from my iPad

On 6 Nov 2020, at 13:18, Ela Hackling <ela.hackling@buckinghamshire.gov.uk> wrote:

> Dear [redacted]
>
> Thank you for your time today.
>
> I have attached the notes from the interview and new updated plans.
>
> Can you please reply to me by email that the information on the interview forms is correct and that the updated alignment path is the path you are were using since the 80's.
>
> I am looking forward to hearing from you.
>
> Kind regards.
>
> **Ela Hackling**
> Definitive Map Officer
> Planning Growth and Sustainability
>
> Tel: 01296 382153
> Email: ela.hackling@buckinghamshire.co.uk
> Buckinghamshire Council, Walton Street Offices , Aylesbury, Bucks HP20 1UA
> Visit our Website: www.buckinghamshire.gov.uk

Witness 8.

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness: [redacted]

Route:
Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.

Agreed plan in the witness statement incorrect. New alignment agreed on.

Usage:
During which years have you used the route?

1991-2020

Have there been any gaps in your usage?

Away 2002-2010

By what means would you use the route and how frequently was the usage:

a) by car?

b) by bicycle? – 4 times per month

c) on foot? – 14 -18 times per month

d) on horseback?

e) any other means e.g. horse and cart, motorcycle?

For what purpose? Where were you going to and from?

Go to the shop in Asheridge Road, to the town and back, pop and see friends

Details of route:
Has the route always been the same? Direction, width, surface? When & Where if different?

Yes

Have there ever been any stiles or gates on the route? If yes What, When & Where?

No.

Never seen rope or barrier.

How wide is the route?

Standard footpath size 1-2 feet wide, some undergrowth coming through.

Landowner:
Have you ever worked for the landowner or are you a friend of the landowner? Dates.

No.

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:
Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No.

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No.
Fallen tree, cleared by residents.

Notices:
Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

No.

Permission:
Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No.

Have you seen other people using the route? If yes, when?

Yes, walking opposite direction.

Anything else…….

Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature …… Date ……

Telephone interview ☐

Witness 7.

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness: [redacted]

Route:
Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.

Yes, route submitted in witness statement is correct.

Usage:
During which years have you used the route?

1991-2020

Have there been any gaps in your usage?

9-year gap – 2001-2010

By what means would you use the route and how frequently was the usage:

a) by car?

b) by bicycle? – 200 per year first part (from Fair Leas to co-op field)

c) on foot? – whole route few times a month, more frequently part from Fair Leas to field

d) on horseback?

e) any other means e.g. horse and cart, motorcycle?

For what purpose? Where were you going to and from?

Full length – shop in Asheridge Road, coming back from town, walking for exercise
Part from Fair Leas to Co-op field – going to work and church, town, visiting friends

Details of route:
Has the route always been the same? Direction, width, surface? When & Where if different?
Yes, top part tarmacked, thinks council did it before moved in.
Width the same.

Have there ever been any stiles or gates on the route? If yes What, When & Where?

No.
No recollection of barrier/rope and haven't seen one since living there.

How wide is the route?
Varies - narrow 1 meter from Fair Leas side, opens in field, and between 2 fences – 3-4 meters, narrower pass substation.

Landowner:
Have you ever worked for the landowner or are you a friend of the landowner? Dates.

No idea who owns it, coop field assuming owned by council.

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:
Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No.

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No, fallen trees in Fair Leas end.

Notices:
Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

No.

Permission:
Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No, no idea who to ask.

Have you seen other people using the route? If yes, when?

I sometimes either pass someone coming the other way and occasionally follow someone. This happens much more frequently on the first part, Fair Less to field, than the lower part to Ashridge road. Also often see people walking along Fair Less, too or from, the path entry but with no idea whether they cross the field or head down to the road.

Anything else…….

Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature …… Date ……..

Telephone interview ☐

From: [redacted]
Subject: Re: [EXTERNAL] Re: interview Chesham
Date: 09 November 2020 16:13:37

Hi Ela
Thanks for that, looks good
[redacted]

On Mon, 9 Nov 2020 at 13:19, Ela Hackling <ela.hackling@buckinghamshire.gov.uk> wrote:

> Hi [redacted]
>
> It looks like missed that question completely. I do apologise.
>
> I have added it on, as per your email.
>
> Please have another look.
>
> Kind regards.
>
> **Ela Hackling**
>
> Definitive Map Officer
>
> Planning Growth and Sustainability
>
> Tel: 01296 382153
>
> Email: ela.hackling@buckinghamshire.gov.uk
>
> Buckinghamshire Council, Walton Street Offices , Aylesbury, Bucks HP20 1UA
>
> Visit our Website: www.buckinghamshire.gov.uk
>
> **From:** [redacted]
> **Sent:** 09 November 2020 13:03
> **To:** Ela Hackling <ela.hackling@buckinghamshire.gov.uk>
> **Subject:** [EXTERNAL] Re: interview Chesham

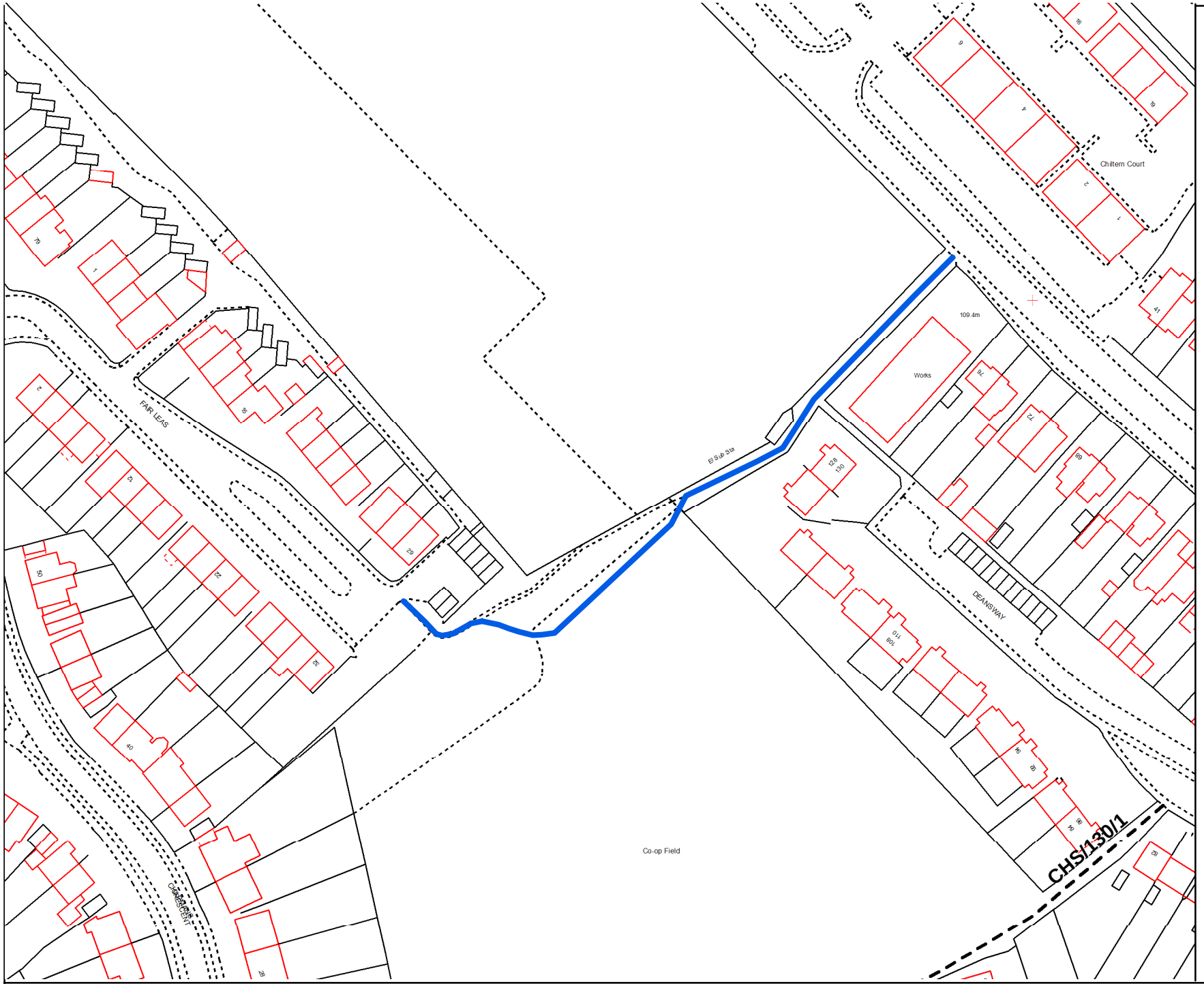
Thanks for chatting to us this morning Ela.

My form looks fine, the only addition is under permission. I sometimes either pass someone coming the other way and occasionally follow someone. This happens much more frequently on the first part, Fair Less to field, than the lower part to Ashridge road. Also often see people walking along Fair Less, too or from, the path entry but with no idea whether they cross the field or head down to the road.

[redacted]

On Mon, 9 Nov 2020, 11:42 Ela Hackling, <ela.hackling@buckinghamshire.gov.uk> wrote:

> Dear [redacted]
>
> Thank you for your time today.
>
> Please find attached interview forms and new plan for [redacted]
>
> Can you check the forms and reply to me that the information is correct and the plan shows the route claimed.
>
> Kind reagrds.
>
> **Ela Hackling**
>
> Definitive Map Officer
>
> Planning Growth and Sustainability
>
> Tel: 01296 382153
>
> Email: ela.hackling@buckinghamshire.gov.uk
>
> Buckinghamshire Council, Walton Street Offices , Aylesbury, Bucks HP20 1UA
>
> Visit our Website: www.buckinghamshire.gov.uk



Chesham Claimed Footpath

claimed footpath

N

1:1,250

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Witness 11.

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness: [redacted]

Route:
Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.

Map was posted to [redacted] She remembers very long time ago people walking out of the bushes where the blue line is, but is has been overgrown for a long time and the red route has been used for many years.

Usage:
During which years have you used the route?

52 year leaving here (1968-2020), and used during this time, using more frequently now as no longer diving

Have there been any gaps in your usage?
No.

By what means would you use the route and how frequently was the usage:

a) by car?

b) by bicycle?

c) on foot? – 2-3 times a week

d) on horseback?

e) any other means e.g. horse and cart, motorcycle?

For what purpose? Where were you going to and from?

To Asheridge Road to post box, to walk around estate, to shop in Asheridge Road, to Bellington Road to the bus stop

Details of route:
Has the route always been the same? Direction, width, surface? When & Where if different?
From Fair Leas to field, then on side of the filed towards Asheridge Road, passing council houses and factory. There used to be factory on the other side.

Have there ever been any stiles or gates on the route? If yes What, When & Where?

No.

Once per year the path was closed at Fair Leas end and end of another footpath crossing the field to block the path. [redacted] thinks it was the erected by town council

to make footpath valid.

How wide is the route?

Fair Leas to co-op field – 1 person, in field -plenty of room, other end - 2 people can pass each other

Landowner:
Have you ever worked for the landowner or are you a friend of the landowner? Dates.

No idea who is a landlord.

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:
Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No.

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No gates.

Notices:
Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

Not, notice.

Sign saying footpath closed, many years ago, for one day a year. No sign there for long time.

Permission:
Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No.

Have you seen other people using the route? If yes, when?

Yes, lots of times, more people using the route now during lockdown.

Anything else…….

Who put the tarmac down and when.
[redacted] **doesn't know who put the tarmac and can't remember when.**

Route maintained alongside the field.
Explain procedure Willing to attend public inquiry? Yes
I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors. **Signature …… Date ……** Telephone interview ☐

From: [redacted]
To: Ela Hackling
Subject: [EXTERNAL] Re: FW: interview Chesham path
Date: 06 November 2020 14:45:39

Good afternoon Ela,

Yes, I am happy now with the notes of the interview and the route shown by the blue line on the second map. It was nice to speak to you.

Regards

[redacted]

On 06/11/2020 14:23, Ela Hackling wrote:

Chesham Claimed Footpath

claimed footpath

N

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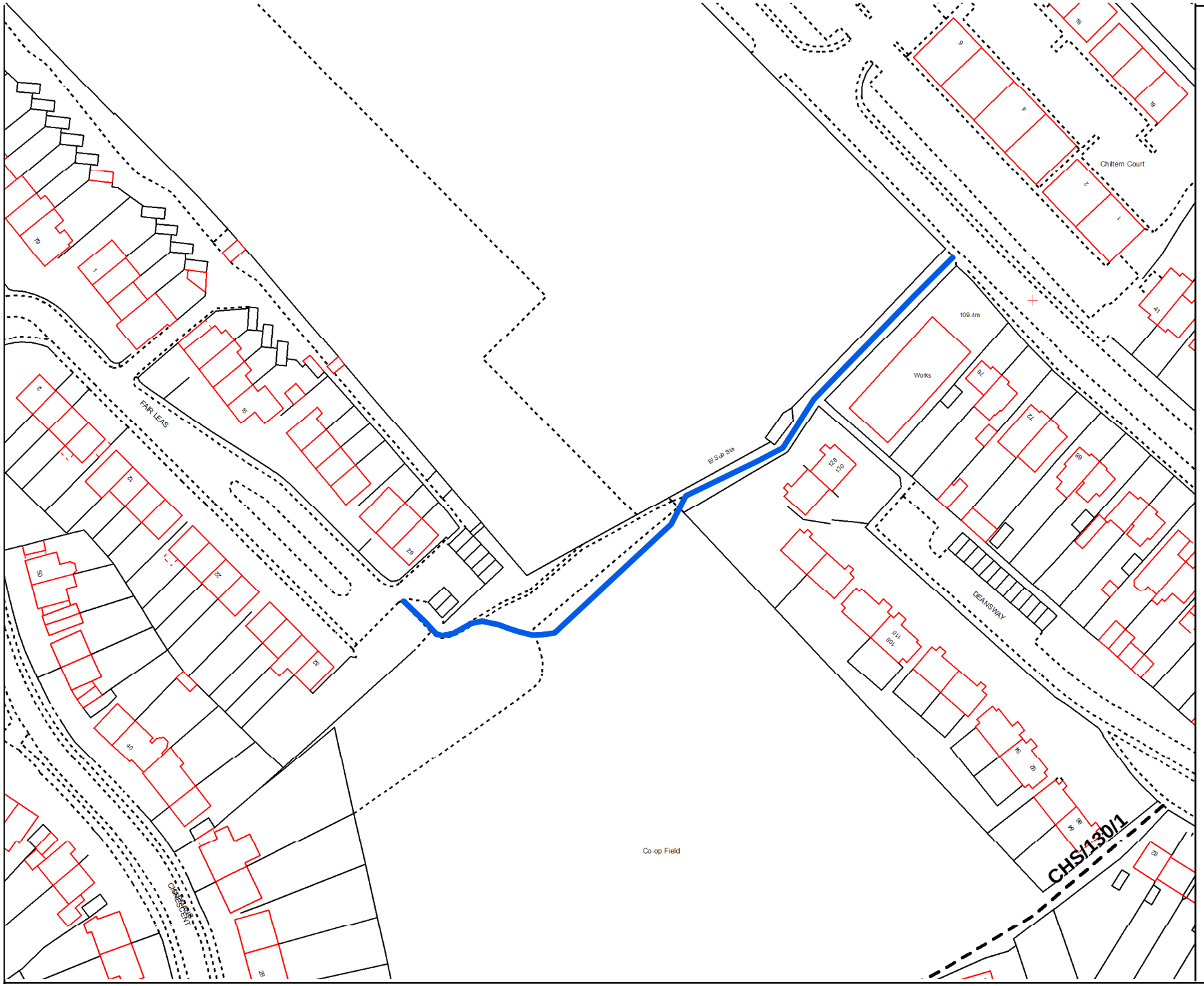

Chesham Claimed Footpath

claimed footpath

N

1:1,250

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Witness 16.

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness: [redacted]

Route:
Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.

Adjusted route to be submitted.

Yes.

Usage:
During which years have you used the route?

1998-2020

Have there been any gaps in your usage?

No, only holiday.

By what means would you use the route and how frequently was the usage:

a) by car?

b) by bicycle?

c) on foot? – 99%, once or twice per week

d) on horseback?

e) any other means e.g. horse and cart, motorcycle?

For what purpose? Where were you going to and from?

Down to shop in Asheridge Road, post box on Asheridge Road, parcel drop off along Asheridge Road further away from the shop.

Details of route:
Has the route always been the same? Direction, width, surface? When & Where if different?
Yes, all the same. Surface - tarmac to field, then grass, then natural ground surface.

[redacted] remembers neighbour saying that the tarmac was put down to help push the buggies down the path.

Have there ever been any stiles or gates on the route? If yes What, When & Where?

No.

How wide is the route?
First part tarmac – 1-1.5m, field – open field, last bit – 2 meters.

Landowner:
Have you ever worked for the landowner or are you a friend of the landowner? Dates.

No.

Town council owns the field. Nobody knows who owns last part, there was problem with litter there.

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:
Have you ever been stopped, turned away, or told the way is not for public use? Dates.
No.

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No.
Never seen rope being put across the path.

Notices:
Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

No, just notice of claimed path.

Permission:
Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No.

Have you seen other people using the route? If yes, when?

Yes. Regularly, people going to shop or walking the dog.

Anything else…….

Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors. **Signature …… Date ……** Telephone interview ☐

From: [redacted]
To: Ela Hackling
Subject: Re: [EXTERNAL] Re: interview Chesham footpath
Date: 05 November 2020 17:32:38
Attachments: Plan Chesham Aerial view.pdf
Plan Chesham Path.pdf
[redacted]

Hello Ela,
The route of the path on the map and the aerial photograph are correct and the information that I gave you during the interview is correct.
Best wishes,
[redacted]

On 5 November 2020 at 11:40, Ela Hackling <ela.hackling@buckinghamshire.gov.uk> wrote:

> Dear [redacted]
>
> Thank you for taking time to talk to me again.
>
> Please check the interview form if all the answers are correct, and if you can sign it or reply to me that the information is correct.
>
> Please also indicate that the plans attached are correct and this is the route you walk.
>
> With regard to your enquiry about other path in Great Missenden. You can always report any issues on the public right of way to us via our website - https://prow.buckscc.gov.uk/standardmap.aspx You will need to create an account first.
>
> Kind regards.
>
> **Ela Hackling**
> Definitive Map Officer
> Planning Growth and Sustainability
>
> Tel: 01296 382153
> Email: ela.hackling@buckinghamshire.co.uk
> Buckinghamshire Council, Walton Street Offices , Aylesbury, Bucks HP20 1UA
> Visit our Website: www.buckinghamshire.gov.uk

Insert Title

Public Rights of Way

FOOTPATH

BRIDLEWAY

RESTRICTED BYWAY

BYWAY OPEN TO ALL TRAFFIC

PARISH BOUNDARY

N

1:1,000

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168SS CCR

FORM 1

APPLICATION FOR A MODIFICATION ORDER

THE WILDLIFE AND COUNTRYSIDE ACT 1981

THE BUCKINGHAMSHIRE COUNTY COUNCIL DEFINITIVE MAP AND STATEMENT

To: Director Environment Services, Buckinghamshire County Council
Of: County Hall, Aylesbury, Buckinghamshire, HP20 1UY

I/We: [redacted]

Of: [redacted]

Hereby apply for an Order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statement for the area by:

(PLEASE DELETE THE WORD IN THE BRACKETS WHICH DO NOT APPLY)

1. Deleting the (footpath) (bridleway) (restricted byway) (byway open to all traffic)
From: To:

2. Adding the (footpath) ~~(bridleway) (restricted byway) (byway open to all traffic)~~
From: FAIR LEAS, CHESHAM To: ASHERIDGE ROAD, CHESHAM

3. (upgrading) (downgrading) to a (footpath) (bridleway) (restricted byway) (byway open to all traffic) the (footpath) (bridleway) (restricted byway) (byway open to all traffic)
From: To:

4. (varying) (adding to) the particulars relating to the (footpath) (bridleway) (restricted byway) (byway open to all traffic)
From: To:

by providing that as shown on the map accompanying this application (to a scale of 1:25,000 or greater).

I/We attach copies of documentary evidence including witness statements, in support of this application. Please attach a separate sheet, listing the documents/statements.

Dated: 20 December 2016 **Signed:** [redacted]

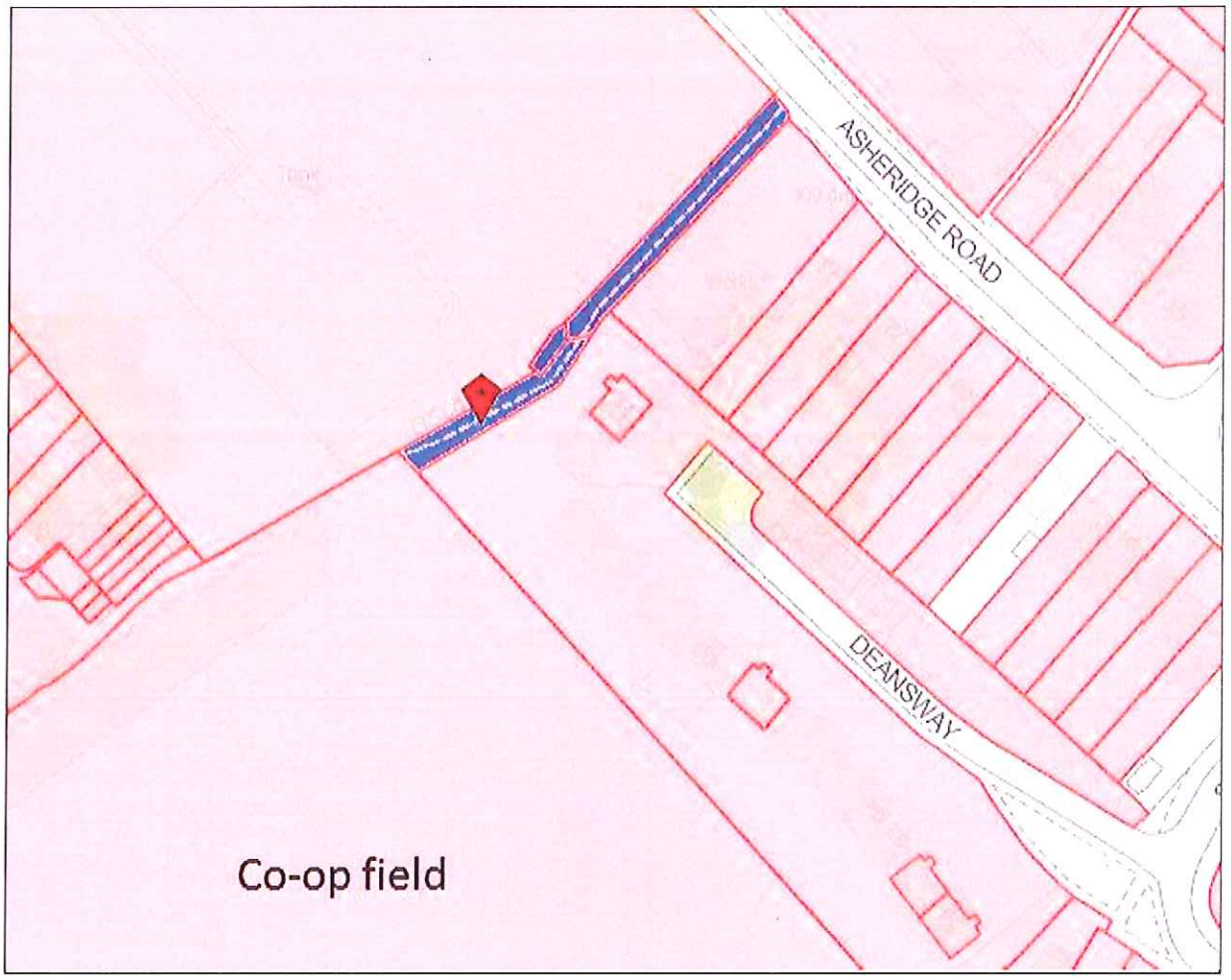
Signed (on behalf of) .....

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request and will be included in the Register of Definitive Map Modification Order Applications.

List of documents attached to application for a modification order adding the footpath from Fair Leas to Asheridge Road

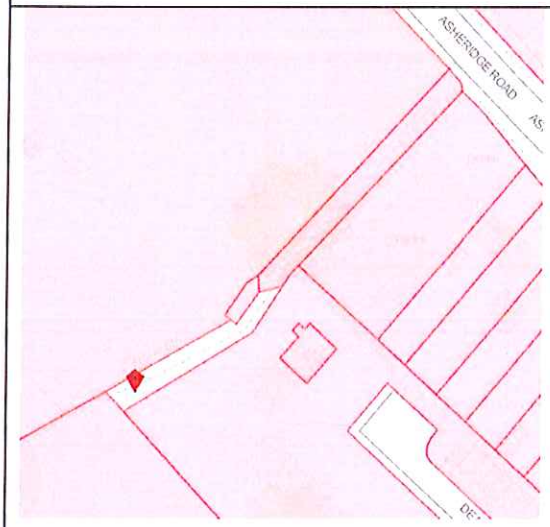
1. Investigation by Paradigm Housing group relating to the ownership of the section of the path between Co-op Field and Asheridge Road
2. List of notices served on owners/occupiers
3. Witness statement: [redacted]
4. Witness statement:
5. Witness statement:
6. Witness statement:
7. Witness statement:
8. Witness statement:
9. Witness statement:
10. Witness statement:
11. Witness statement:
12. Witness statement:
13. Witness statement:
14. Witness statement:
15. Witness statement:
16. Witness statement:
17. Witness statement:
18. Witness statement:
19. Map

Investigation relating to the ownership of: path (coloured blue) from Co-0p Field to Asheridge Road, Chesham (Jul 2014)



The pathway ownership is split into multiple parts:

	Seems to be owned by **Asheridge Holdings Ltd.** Land is not registered with the land registry but has a caution against it (BM337252) for access over pathway in favour of Eastern Power Network. There is also a lease granted under BM313415 between Asheridge Holdings Ltd, and EPN – it cites AHLtd as the freeholder of the pathway.

	This small area is the electrical sub station – fenced off and leased to Eastern Power Network by Asheridge Holdings Ltd (see above) under agreement nr BM313415
	This section is unregistered. This does not mean it doesn't belong to anyone, it means that the land registry do not know who. I have referred back to the original transfer documentation between CDC and PHG; this strip of land was **not** included in that transfer. This means it was not CDC's land to pass to Paradigm. As this too is unregistered, it seems *most* likely that it also belongs to Asheridge Holdings Ltd – however this is a guess.

Summary:

The first part of the pathway accessed from Asheridge Road belongs to **Asheridge Holdings Ltd**.

It is not registered in their name, but an agreement exists between them and the electricity board citing them as the landowners.

The second part of the pathway (from the electrical sub-station leading to Co-op Field) is not registered with the land registry, but I suspect that this too is Asheridge Holdings Ltd.

Further complication:

Companies House have the following information registered for AH Ltd:

ASHERIDGE HOLDINGS LIMITED 31 SCHOOL LANE WELWYN HERTFORDSHIRE AL6 9PQ **Company No. 00596216**	**Status**: Dissolved 04/03/2014 **Date of Incorporation**: 31/12/1957 **Country of Origin**: United Kingdom

List of notices of application for a modification order served in respect of path from Fair Leas to Asheridge Road, Chesham

1. Notices posted on section of path between Co-op Field and Asheridge Road
2. Chesham Town Council in respect of section of path within Co-op Field
3. Group One Investments Ltd, Quadrant House Floor 6, 4 Thomas More Square, London, E1W 1YW in respect of small section of path between Fair Leas and the Co-op Field
4. Eastern Power Networks, 237 Southwark Bridge Road, London, SE1 6NP in respect of access rights and lease for electricity sub-station

DEFINITIVE MAP MODIFICATION ORDER APPLICATION

USER EVIDENCE FORM

Please Read Carefully

Witness 1.

Why am I completing this form?

An application is to be made to Buckinghamshire County Council to modify the Definitive Map and Statement by potentially recording Public Rights along a particular route. You have been asked to complete this form to provide information on your use of the route to help to establish whether use by the public is sufficient for the Council to be able to deem or infer that a particular route has been dedicated by the landowner as a public right of way. Please answer the questions below with as much detail and accuracy as possible.

Your Personal Details

All Personal information is handled by the County Council in accordance with Data Protection legislation. Before an Order is made, your personal information will remain confidential but your described use of the route maybe made known to affected landowners upon their request. Once an Order has been made, your personal details will be made known to any party who may request it. Contact details such as telephone numbers and email addresses will however be with-held. There is a separate section at the end of the form where you can provide contact details which will be detached from your form. By providing this information, it will enable us to contact you to discuss the evidence you have provided.

Please ensure this evidence form is accompanied by a map (scale of 1:10,000 or greater) showing the route clearly marked, and is sign and dated by yourself

---

About You

TITLE [redacted] ..... FIRST NAMES..... [redacted] .....

SURNAME ..... [redacted] .....

ADDRESS . [redacted] .

.....POSTCODE .. [redacted]

DATE OF BIRTH .... [redacted] .....

Have you personally used the route? ☑ Yes ☐ No

The Claimed Route

1. **Details of the route:**

Grid Reference for Start of the route: SP 95340 02652

Grid Reference for End of the route: SP 95479 02736

Please provide a written description of the route from start to finish, including any location points road names and points of interest and where you were going:

The path goes from the end of Fair Leas into the Co-op field, down the north side of the field, then from the corner of the field continuing straight on to Asheridge Road. The first part of the path through trees and bushes has some rough tarmac. When the path leaves the field it runs between a development site to the north and Dearnway and a small factory to the south. It passes an electricity sub-station

If possible, please draw a sketch map of the route showing any details you feel are relevant i.e. changes in width, structures etc

2. **Has the route, to the best of your knowledge, always run on the same line?**

☑ Yes ☐ No

If your answer is No, please explain below, giving dates of when the route changed:

3. **How wide is the route?** Varies along its length

Has the route always been the same width? ☑ Yes ☐ No

If No, how wide did it used to be and why did it change?

4. **Are there, to your knowledge, any structures along the route?** Gates, stiles etc. Please explain what these are, where they are, and how long they have been there:

NONE

Your use of the Claimed Route

5. **Between what dates have you used the route?**

2014 **to** 2016

6. **Have there been any prolonged periods of time when you have not used the route?** ☐ Yes ☑ No

If Yes, what was the reason for not using the route?

7. **In what manner did you use the route?** (please tick all that apply)

On Foot	☑
On Bicycle	☐
On horse back	☐
With a non-motorised vehicle	☐
With a motorised vehicle	☐

8. **Where were you going to and from when using the route? For what purpose did you use the route?** For example leisure, recreation, visiting family

I have walked it over the last 2-3 years because of my interest in it as a local councillor. I was also involved in getting the vegetation cut back at the bottom end of the path in 2015

9. During the time period stated in Q5, how frequently did you use the route?

	Please state number of times used per year:
On Foot	5
On Bicycle	0
On Horseback	0
Non-motorised vehicles	0
Motorised Vehicles	0

10. Did you ever ask for permission to use the route? ☐ Yes ☑ No

If Yes, please explain overleaf:

11. Were you ever given permission by the landowner without asking i.e. did they display signs granting permission? ☐ Yes ☑ No

If Yes, please explain:

About the Landowner

12. When you used the route, were you connected with the landowner in any way?
(This includes District Councils as the landowner)

	Yes	No
Tenant (including Council tenants)		
Employee		
Family Member		
Friend		
Other (please state)	*	

* Chesham Town Council owns the Co-op Field, and I am a Chesham Town councillor

13. **If you have worked for any owner or occupier of the land crossed by the way at the time of you using it, or were a tenant, did you receive any instruction as to the use of the way by the public?**

☐ Yes ☑ No

If yes, please explain:

14. **Have you ever been stopped or turned back when using the way, or do you know of or have heard of anyone else having been stopped or turned back?**

☐ Yes ☑ No

If yes, please explain:

15. **Have there ever been any notices on or near the route?**

☐ Yes ☑ No

If Yes, please explain:

16. **Has the route ever been obstructed?** Please indicate how long the obstruction was there? i.e. a day, week, or longer

	Yes	No
Locked Gate		✓
Broken Structures		✓
Fencing		✓
Non-reinstatement of crop / plough		✓
Other – please describe		✓

17. **Please provide any other information in support of this application** (continue on a separate page if need be):

Two of the witnesses, [redacted] and [redacted], whose use of this path goes back to the 1960s, state that on Good Fridays a rope was put across the path to

Blank Page - feel free to use this for further information

close it for the day. The more recent users of the path do not mention this.

[redacted], who used to be a Chesham Town councillor, tells me that he believes [redacted], town clerk 1974–1980, used to order this annual closure but it was not continued after his time.

I have been a Chesham Town councillor since 1991, and I have never heard of any annual closures during my time.

18. **Are you prepared to be interviewed at your home or in an agreed location to discuss your evidence further?** ☑ Yes ☐ No
(If you prefer, a telephone interview can be arranged)

19. **If necessary, are you prepared to attend a Public Inquiry and give evidence on your use and information contained within this form?** ☑ Yes ☐ No

If No, please give a reason:

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true. I acknowledge this form may be copied to landowners or objectors.

PRINT NAME [redacted]

SIGNATURE [redacted]

DATE 13 December 2016

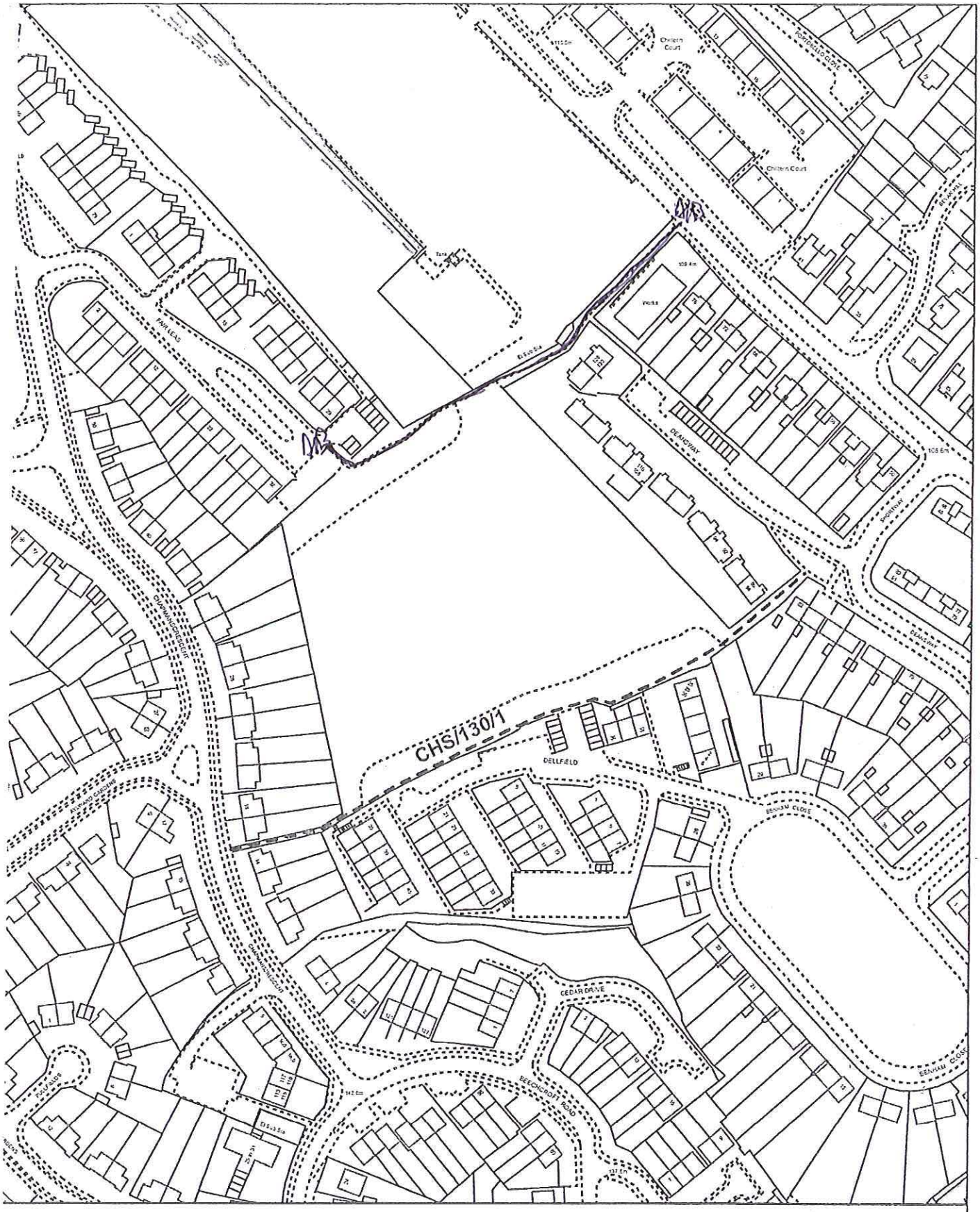
What Happens Next?

Once we have received the application for a Definitive Map Modification Order which includes your User Evidence Form, and others, we will carry out an assessment of the application to ensure it has been duly made. It will then be added to our list of applications and dealt with in chronological order. When we are ready to investigate the application, we will write to a cross-section of those who submitted evidence forms, which may include yourself, and offer to meet with you to discuss your evidence in more detail. This can be arranged to occur at your home or in an agreed location. Please do provide your contact details on the separate form so that we may contact you. Your contact details will not be disclosed.

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request.

Your Contact Details

Your Name	[redacted]
Address	
Phone Number (preferred) Not to be disclosed	[redacted]
Email Address Not to be disclosed	[redacted]
Parish (where claimed route exists)	CHESHAM



BUCKINGHAMSHIRE COUNTY COUNCIL

Public Rights of Way

- FOOTPATH
- BRIDLEWAY
- RESTRICTED BYWAY
- BYWAY OPEN TO ALL TRAFFIC
- PARISH BOUNDARY

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N

1:2,000

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[redacted]

13/12/16

DEFINITIVE MAP MODIFICATION ORDER APPLICATION

Witness 2.

USER EVIDENCE FORM

Please Read Carefully

Why am I completing this form?

An application is to be made to Buckinghamshire County Council to modify the Definitive Map and Statement by potentially recording Public Rights along a particular route. You have been asked to complete this form to provide information on your use of the route to help to establish whether use by the public is sufficient for the Council to be able to deem or infer that a particular route has been dedicated by the landowner as a public right of way. Please answer the questions below with as much detail and accuracy as possible.

Your Personal Details

All Personal information is handled by the County Council in accordance with Data Protection legislation. Before an Order is made, your personal information will remain confidential but your described use of the route maybe made known to affected landowners upon their request. Once an Order has been made, your personal details will be made known to any party who may request it. Contact details such as telephone numbers and email addresses will however be with-held. There is a separate section at the end of the form where you can provide contact details which will be detached from your form. By providing this information, it will enable us to contact you to discuss the evidence you have provided.

Please ensure this evidence form is accompanied by a map (scale of 1:10,000 or greater) showing the route clearly marked, and is sign and dated by yourself

---

About You

TITLE ..... [redacted] .. **FIRST NAMES.** [redacted] .....

SURNAME ... [redacted] .....

ADDRESS .... [redacted] .....

..... [redacted] .....**POSTCODE** ..... [redacted]

DATE OF BIRTH [redacted] .....

Have you personally used the route? ☑ Yes ☐ No

The Claimed Route

1. **Details of the route:**

Grid Reference for Start of the route: SP 95340 02652

Grid Reference for End of the route: SP 954 79 02736

Please provide a written description of the route from start to finish, including any location points road names and points of interest and where you were going:

END of FAIR LEAS TO ASHERIDGE RD

If possible, please draw a sketch map of the route showing any details you feel are relevant i.e. changes in width, structures etc

2. **Has the route, to the best of your knowledge, always run on the same line?**

☑ Yes ☐ No

If your answer is No, please explain below, giving dates of when the route changed:

3. **How wide is the route?**

Has the route always been the same width? ☐ Yes ☐ No

If No, how wide did it used to be and why did it change?

4. **Are there, to your knowledge, any structures along the route?** Gates, stiles etc.
Please explain what these are, where they are, and how long they have been there:

NO.

Your use of the Claimed Route

5. **Between what dates have you used the route?**

MARCH 1963 **to** PRESENT

6. **Have there been any prolonged periods of time when you have not used the route?** ☐ Yes ☐ No
If Yes, what was the reason for not using the route?

7. **In what manner did you use the route?** (please tick all that apply)

On Foot	☑
On Bicycle	☐
On horse back	☐
With a non-motorised vehicle	☐
With a motorised vehicle	☐

8. **Where were you going to and from when using the route? For what purpose did you use the route?** For example leisure, recreation, visiting family

SHOPPING.

9. During the time period stated in Q5, how frequently did you use the route?

	Please state number of times used per year:
On Foot	60.
On Bicycle	
On Horseback	
Non-motorised vehicles	
Motorised Vehicles	

10. Did you ever ask for permission to use the route? ☐ Yes ☑ No

If Yes, please explain overleaf:

11. Were you ever given permission by the landowner without asking i.e. did they display signs granting permission? ☐ Yes ☑ No

If Yes, please explain:

About the Landowner

12. When you used the route, were you connected with the landowner in any way?
(This includes District Councils as the landowner)

	Yes	No
Tenant (including Council tenants)		—
Employee		—
Family Member		—
Friend		—
Other (please state)	✓	

13. **If you have worked for any owner or occupier of the land crossed by the way at the time of you using it, or were a tenant, did you receive any instruction as to the use of the way by the public?**

☐ Yes ☑ No

If yes, please explain:

14. **Have you ever been stopped or turned back when using the way, or do you know of or have heard of anyone else having been stopped or turned back?**

☐ Yes ☑ No

If yes, please explain:

15. **Have there ever been any notices on or near the route?**

☑ Yes ☐ No

If Yes, please explain:

MANY YEARS AGO. THE CLERK TO THE TOWN COUNCIL PUT A SIGN UP FOR ONE DAY (Good Friday).

16. **Has the route ever been obstructed?** Please indicate how long the obstruction was there? i.e. a day, week, or longer

	Yes	No
Locked Gate		✓
Broken Structures		✓
Fencing		✓
Non-reinstatement of crop / plough		✓
Other – please describe		✓

17. **Please provide any other information in support of this application** (continue on a separate page if need be):

18. **Are you prepared to be interviewed at your home or in an agreed location to discuss your evidence further?** ☑ Yes ☐ No
(If you prefer, a telephone interview can be arranged)

19. **If necessary, are you prepared to attend a Public Inquiry and give evidence on your use and information contained within this form?**
☑ Yes ☐ No

If No, please give a reason:

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true. I acknowledge this form may be copied to landowners or objectors.

PRINT NAME [redacted]

SIGNATURE [redacted]

DATE 3/12/16

What Happens Next?

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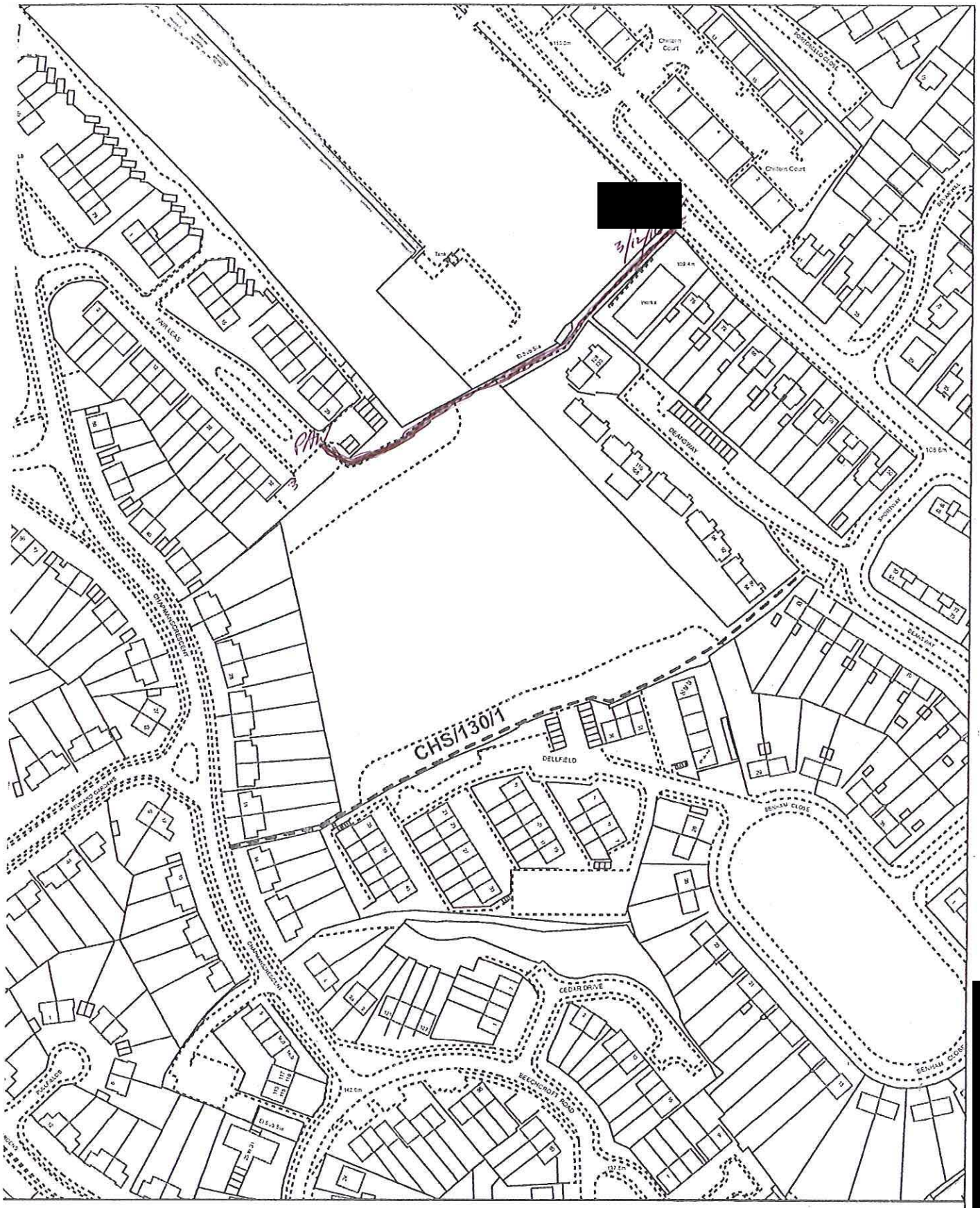
Your Contact Details

Your Name	
Address	[redacted]
Phone Number (preferred) Not to be disclosed	[redacted]
Email Address Not to be disclosed	
Parish (where claimed route exists)	CHESHAM



[redacted]

Public Rights of Way

FOOTPATH
BRIDLEWAY
RESTRICTED BYWAY
BYWAY OPEN TO ALL TRAFFIC
PARISH BOUNDARY

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N

1:2,000

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DEFINITIVE MAP MODIFICATION ORDER APPLICATION

Witness 3.

USER EVIDENCE FORM

Please Read Carefully

Why am I completing this form?

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Your Personal Details

All Personal information is handled by the County Council in accordance with Data Protection legislation. Before an Order is made, your personal information will remain confidential but your described use of the route maybe made known to affected landowners upon their request. Once an Order has been made, your personal details will be made known to any party who may request it. Contact details such as telephone numbers and email addresses will however be with-held. There is a separate section at the end of the form where you can provide contact details which will be detached from your form. By providing this information, it will enable us to contact you to discuss the evidence you have provided.

Please ensure this evidence form is accompanied by a map (scale of 1:10,000 or greater) showing the route clearly marked, and is sign and dated by yourself

---

About You

TITLE [redacted] ..... FIRST NAMES. [redacted] .....

SURNAME ... [redacted] .....

ADDRESS ..... [redacted] .....

..... [redacted] .....POSTCODE . [redacted]

DATE OF BIRTH ... [redacted] .....

Have you personally used the route? ☑ Yes ☐ No

The Claimed Route

1. **Details of the route:**

Grid Reference for Start of the route: SP95340 02652

Grid Reference for End of the route: SP95479 02736

Please provide a written description of the route from start to finish, including any location points road names and points of interest and where you were going:

GOING THROUGH CO-OP FIELD FROM FAIR LEAS TO ASHERIDGE ROAD, PAST ELECTRICITY SUB STATION, TO THE LITTLE SHOP

If possible, please draw a sketch map of the route showing any details you feel are relevant i.e. changes in width, structures etc

2. **Has the route, to the best of your knowledge, always run on the same line?**

☒ Yes ☐ No

If your answer is No, please explain below, giving dates of when the route changed:

3. **How wide is the route?**

1M AT TOP 3M AT BOTTOM

Has the route always been the same width? ☒ Yes ☐ No

If No, how wide did it used to be and why did it change?

4. **Are there, to your knowledge, any structures along the route?** Gates, stiles etc. Please explain what these are, where they are, and how long they have been there:

NO

Your use of the Claimed Route

5. **Between what dates have you used the route?**

1967 **to** PRESENT TIME

6. **Have there been any prolonged periods of time when you have not used the route?** ☐ Yes ☑ No

If Yes, what was the reason for not using the route?

7. **In what manner did you use the route?** (please tick all that apply)

On Foot	☑
On Bicycle	☐
On horse back	☐
With a non-motorised vehicle	☐
With a motorised vehicle	☐

8. **Where were you going to and from when using the route? For what purpose did you use the route?** For example leisure, recreation, visiting family

WALKING THE DOG
SHOPPING
GOING FROM HOME

9. During the time period stated in Q5, how frequently did you use the route?

	Please state number of times used per year:
On Foot	100
On Bicycle	
On Horseback	
Non-motorised vehicles	
Motorised Vehicles	

10. Did you ever ask for permission to use the route? ☐ Yes ☒ No
If Yes, please explain overleaf:

11. Were you ever given permission by the landowner without asking i.e. did they display signs granting permission? ☐ Yes ☒ No

If Yes, please explain:

About the Landowner

12. When you used the route, were you connected with the landowner in any way?
(This includes District Councils as the landowner)

	Yes	No
Tenant (including Council tenants)		✓
Employee		✓
Family Member		✓
Friend		✓
Other (please state)	✓	

ON CHESHAM TOWN COUNCIL 1976 1979

13. **If you have worked for any owner or occupier of the land crossed by the way at the time of you using it, or were a tenant, did you receive any instruction as to the use of the way by the public?**

☐ Yes ☑ No

If yes, please explain:

14. **Have you ever been stopped or turned back when using the way, or do you know of or have heard of anyone else having been stopped or turned back?**

☐ Yes ☑ No

If yes, please explain:

15. **Have there ever been any notices on or near the route?**

☐ Yes ☐ No

If Yes, please explain:

IN 1960's. EVERY GOOD FRIDAY A ROPE WAS PLACED ACROSS THE PATH AT FAIR LEAS END AND DEANSWAY END

16. **Has the route ever been obstructed?** Please indicate how long the obstruction was there? i.e. a day, week, or longer

	Yes	No
Locked Gate		NO
Broken Structures		NO
Fencing		NO
Non-reinstatement of crop / plough		NO
Other – please describe		NO

17. **Please provide any other information in support of this application** (continue on a separate page if need be):

USED FAIR LEAS END OF PATH SINCE 1960 BUT I USED TO GO ACROSS THE FIELD. AFTER 1960 I STARTED USING THE LOWER EXIT. 40 ASHERIDGE ROAD.

18. **Are you prepared to be interviewed at your home or in an agreed location to discuss your evidence further?** ☑ Yes ☐ No
(If you prefer, a telephone interview can be arranged)

19. **If necessary, are you prepared to attend a Public Inquiry and give evidence on your use and information contained within this form?**
☑ Yes ☐ No

If No, please give a reason:

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true. I acknowledge this form may be copied to landowners or objectors.

PRINT NAME [redacted]

SIGNATURE [redacted]

DATE 27/10/20

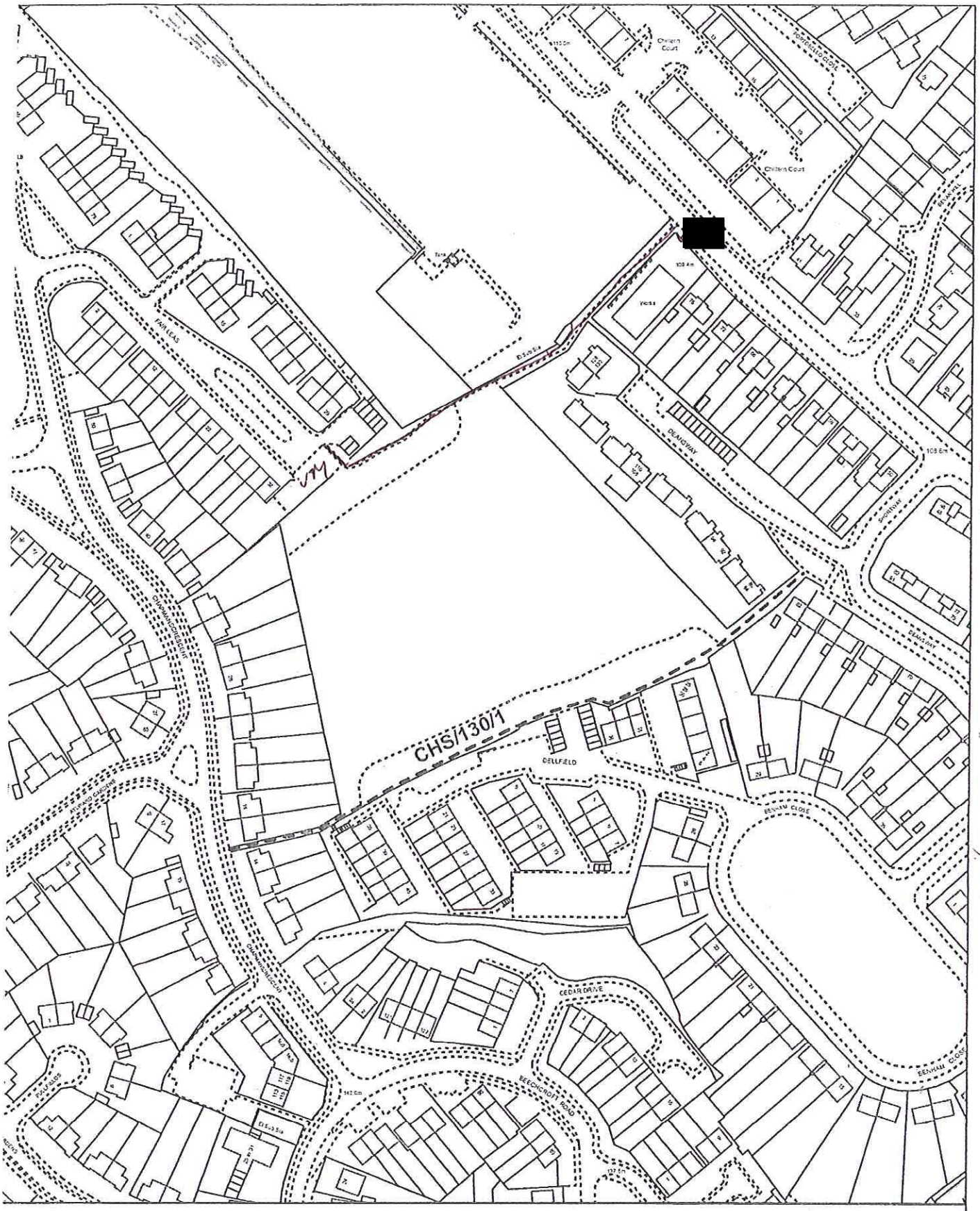
What Happens Next?

Once we have received the application for a Definitive Map Modification Order which includes your User Evidence Form, and others, we will carry out an assessment of the application to ensure it has been duly made. It will then be added to our list of applications and dealt with in chronological order. When we are ready to investigate the application, we will write to a cross-section of those who submitted evidence forms, which may include yourself, and offer to meet with you to discuss your evidence in more detail. This can be arranged to occur at your home or in an agreed location. Please do provide your contact details on the separate form so that we may contact you. Your contact details will not be disclosed.

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request.

Your Contact Details

Your Name [redacted]	
Address [redacted]	
Phone Number (preferred) Not to be disclosed [redacted]	
Email Address Not to be disclosed	
Parish (where claimed route exists) CHESHAM	



[redacted]

Public Rights of Way

FOOTPATH
BRIDLEWAY
RESTRICTED BYWAY
BYWAY OPEN TO ALL TRAFFIC
PARISH BOUNDARY

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N

1:2,000

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DEFINITIVE MAP MODIFICATION ORDER APPLICATION

Witness 4.

USER EVIDENCE FORM

Please Read Carefully

Why am I completing this form?

An application is to be made to Buckinghamshire County Council to modify the Definitive Map and Statement by potentially recording Public Rights along a particular route. You have been asked to complete this form to provide information on your use of the route to help to establish whether use by the public is sufficient for the Council to be able to deem or infer that a particular route has been dedicated by the landowner as a public right of way. Please answer the questions below with as much detail and accuracy as possible.

Your Personal Details

All Personal information is handled by the County Council in accordance with Data Protection legislation. Before an Order is made, your personal information will remain confidential but your described use of the route maybe made known to affected landowners upon their request. Once an Order has been made, your personal details will be made known to any party who may request it. Contact details such as telephone numbers and email addresses will however be with-held. There is a separate section at the end of the form where you can provide contact details which will be detached from your form. By providing this information, it will enable us to contact you to discuss the evidence you have provided.

Please ensure this evidence form is accompanied by a map (scale of 1:10,000 or greater) showing the route clearly marked, and is sign and dated by yourself

---

About You

TITLE [redacted] FIRST NAMES [redacted]

SURNAME [redacted]

ADDRESS [redacted]

[redacted] POSTCODE [redacted]

DATE OF BIRTH [redacted]

Have you personally used the route? ☑ Yes ☐ No

The Claimed Route

1. Details of the route:

Grid Reference for Start of the route: SP 95340 02652

Grid Reference for End of the route: SP 954 79 02736

Please provide a written description of the route from start to finish, including any location points road names and points of interest and where you were going:

THE FOOTPATH PROVIDES A SHORTCUT TO GET TO ASHERIDGE RD FROM FAR LEAS. THE ROUTE GOES THROUGH A SMALL WOODLAND AND SNES WALKING ACROSS THE FIELD TO GET TO THE ROAD. THE FOOTPATH LEADS WITH A ELECTRICITY SUB STATION

If possible, please draw a sketch map of the route showing any details you feel are relevant i.e. changes in width, structures etc

2. **Has the route, to the best of your knowledge, always run on the same line?**

☑ Yes ☐ No

If your answer is No, please explain below, giving dates of when the route changed:

3 TO 4 FEET THROUGH THE WOODLAND WIDENING TO 10 - 12 FEET.

3. **How wide is the route?**

Has the route always been the same width? ☑ Yes ☐ No

If No, how wide did it used to be and why did it change?

4. **Are there, to your knowledge, any structures along the route?** Gates, stiles etc. Please explain what these are, where they are, and how long they have been there:

NO

Your use of the Claimed Route

5. **Between what dates have you used the route?**

1999 **to** PRESENT

6. **Have there been any prolonged periods of time when you have not used the route?** ☐ Yes ☑ No

If Yes, what was the reason for not using the route?

7. **In what manner did you use the route?** (please tick all that apply)

On Foot	☑
On Bicycle	☐
On horse back	☐
With a non-motorised vehicle	☐
With a motorised vehicle	☐

8. **Where were you going to and from when using the route? For what purpose did you use the route?** For example leisure, recreation, visiting family

FROM FAIR LEAS TO ASHERIDGE RD AND CHESHAM TOWN. RECREATION – VISITING SHOP

9. During the time period stated in Q5, how frequently did you use the route?

	Please state number of times used per year:
On Foot	100
On Bicycle	
On Horseback	
Non-motorised vehicles	
Motorised Vehicles	

10. Did you ever ask for permission to use the route? ☐ Yes ☑ No
If Yes, please explain overleaf:

11. Were you ever given permission by the landowner without asking i.e. did they display signs granting permission? ☐ Yes ☑ No

If Yes, please explain:

About the Landowner

12. When you used the route, were you connected with the landowner in any way?
(This includes District Councils as the landowner)

	Yes	No
Tenant (including Council tenants)		✓
Employee		✓
Family Member		✓
Friend		✓
Other (please state)		✓

13. **If you have worked for any owner or occupier of the land crossed by the way at the time of you using it, or were a tenant, did you receive any instruction as to the use of the way by the public?**

☐ Yes ☑ No

If yes, please explain:

14. **Have you ever been stopped or turned back when using the way, or do you know of or have heard of anyone else having been stopped or turned back?**

☐ Yes ☑ No

If yes, please explain:

15. **Have there ever been any notices on or near the route?**

☐ Yes ☑ No

If Yes, please explain:

16. **Has the route ever been obstructed?** Please indicate how long the obstruction was there? i.e. a day, week, or longer

	Yes	No
Locked Gate		✓
Broken Structures		✓
Fencing		✓
Non-reinstatement of crop / plough		✓
Other – please describe		✓

17. **Please provide any other information in support of this application** (continue on a separate page if need be):

18. **Are you prepared to be interviewed at your home or in an agreed location to discuss your evidence further?** ☑ Yes ☐ No
(If you prefer, a telephone interview can be arranged)

19. **If necessary, are you prepared to attend a Public Inquiry and give evidence on your use and information contained within this form?**
☑ Yes ☐ No

If No, please give a reason:

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true. I acknowledge this form may be copied to landowners or objectors.

PRINT NAME [redacted]

SIGNATURE [redacted]

DATE 24 - 10 - 16

What Happens Next?

Once we have received the application for a Definitive Map Modification Order which includes your User Evidence Form, and others, we will carry out an assessment of the application to ensure it has been duly made. It will then be added to our list of applications and dealt with in chronological order. When we are ready to investigate the application, we will write to a cross-section of those who submitted evidence forms, which may include yourself, and offer to meet with you to discuss your evidence in more detail. This can be arranged to occur at your home or in an agreed location. Please do provide your contact details on the separate form so that we may contact you. Your contact details will not be disclosed.

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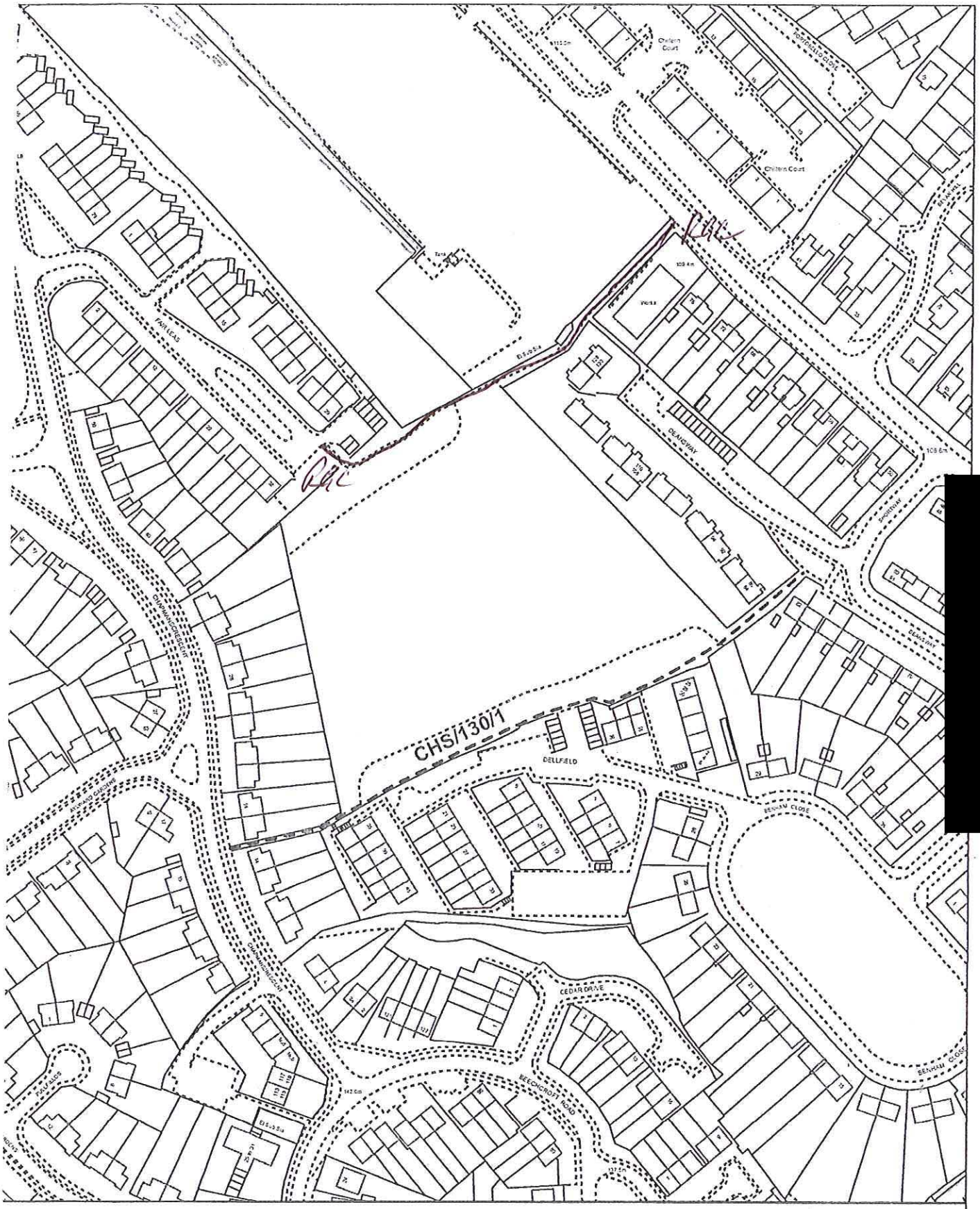
Your Contact Details

Your Name	[redacted]
Address	[redacted]
Phone Number (preferred) Not to be disclosed	[redacted]
Email Address Not to be disclosed	[redacted]
Parish (where claimed route exists)	CHESHAM



24-10-16

[redacted]

BUCKINGHAMSHIRE COUNTY COUNCIL

Public Rights of Way

- FOOTPATH
- BRIDLEWAY
- RESTRICTED BYWAY
- BYWAY OPEN TO ALL TRAFFIC
- PARISH BOUNDARY

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DEFINITIVE MAP MODIFICATION ORDER APPLICATION

USER EVIDENCE FORM

Please Read Carefully

Witness 5.

Why am I completing this form?

An application is to be made to Buckinghamshire County Council to modify the Definitive Map and Statement by potentially recording Public Rights along a particular route. You have been asked to complete this form to provide information on your use of the route to help to establish whether use by the public is sufficient for the Council to be able to deem or infer that a particular route has been dedicated by the landowner as a public right of way. Please answer the questions below with as much detail and accuracy as possible.

Your Personal Details

All Personal information is handled by the County Council in accordance with Data Protection legislation. Before an Order is made, your personal information will remain confidential but your described use of the route maybe made known to affected landowners upon their request. Once an Order has been made, your personal details will be made known to any party who may request it. Contact details such as telephone numbers and email addresses will however be with-held. There is a separate section at the end of the form where you can provide contact details which will be detached from your form. By providing this information, it will enable us to contact you to discuss the evidence you have provided.

Please ensure this evidence form is accompanied by a map (scale of 1:10,000 or greater) showing the route clearly marked, and is sign and dated by yourself

---

About You

TITLE [redacted] **FIRST NAMES** [redacted]

SURNAME [redacted]

ADDRESS [redacted]

POSTCODE [redacted]

DATE OF BIRTH [redacted]

Have you personally used the route? ☑ **Yes** ☐ **No**

The Claimed Route

1. **Details of the route:**

Grid Reference for Start of the route: SP 95340 02652

Grid Reference for End of the route: SP 95479 02736

Please provide a written description of the route from start to finish, including any location points road names and points of interest and where you were going:

From Fairlea onto Co-op Field. Turn left and go straight down onto Ashridge Road.

If possible, please draw a sketch map of the route showing any details you feel are relevant i.e. changes in width, structures etc

2. **Has the route, to the best of your knowledge, always run on the same line?**

☑ **Yes** ☐ **No**

If your answer is No, please explain below, giving dates of when the route changed:

3. **How wide is the route?**

Has the route always been the same width? ☑ **Yes** ☐ **No**

If No, how wide did it used to be and why did it change?

4. **Are there, to your knowledge, any structures along the route?** Gates, stiles etc.
Please explain what these are, where they are, and how long they have been there:

No

Your use of the Claimed Route

5. **Between what dates have you used the route?**

1987 **to** 2016.

6. **Have there been any prolonged periods of time when you have not used the route?** ☐ **Yes** ☑ **No**
If Yes, what was the reason for not using the route?

7. **In what manner did you use the route?** (please tick all that apply)

On Foot	☑
On Bicycle	☐
On horse back	☐
With a non-motorised vehicle	☐
With a motorised vehicle	☐

8. **Where were you going to and from when using the route? For what purpose did you use the route?** For example leisure, recreation, visiting family

To Shop in Ashridge Road also Shortcut to walk to the town.

9. **During the time period stated in Q5, how frequently did you use the route?**

	Please state number of times used per year:
On Foot	
On Bicycle	
On Horseback	
Non-motorised vehicles	
Motorised Vehicles	

10. **Did you ever ask for permission to use the route?** ☐ Yes ☑ No

If Yes, please explain overleaf:

11. **Were you ever given permission by the landowner without asking i.e. did they display signs granting permission?** ☐ Yes ☑ No

If Yes, please explain:

About the Landowner

12. **When you used the route, were you connected with the landowner in any way?**
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	Yes	No
Tenant (including Council tenants)		✓
Employee		✓
Family Member		✓
Friend		✓
Other (please state)		✓

13. **If you have worked for any owner or occupier of the land crossed by the way at the time of you using it, or were a tenant, did you receive any instruction as to the use of the way by the public?**

☐ Yes ☑ No

If yes, please explain:

14. **Have you ever been stopped or turned back when using the way, or do you know of or have heard of anyone else having been stopped or turned back?**

☐ Yes ☑ No

If yes, please explain:

15. **Have there ever been any notices on or near the route?**

☐ Yes ☑ No

If Yes, please explain:

16. **Has the route ever been obstructed?** Please indicate how long the obstruction was there? i.e. a day, week, or longer

	Yes	No
Locked Gate		✓
Broken Structures		✓
Fencing		✓
Non-reinstatement of crop / plough		✓
Other – please describe		✓

17. **Please provide any other information in support of this application** (continue on a separate page if need be):

18. **Are you prepared to be interviewed at your home or in an agreed location to discuss your evidence further?** ☐ Yes ☑ No
(If you prefer, a telephone interview can be arranged)

19. **If necessary, are you prepared to attend a Public Inquiry and give evidence on your use and information contained within this form?**
☐ Yes ☑ No

If No, please give a reason:

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PRINT NAME [redacted]

SIGNATURE [redacted]

DATE 6/10/16.

What Happens Next?

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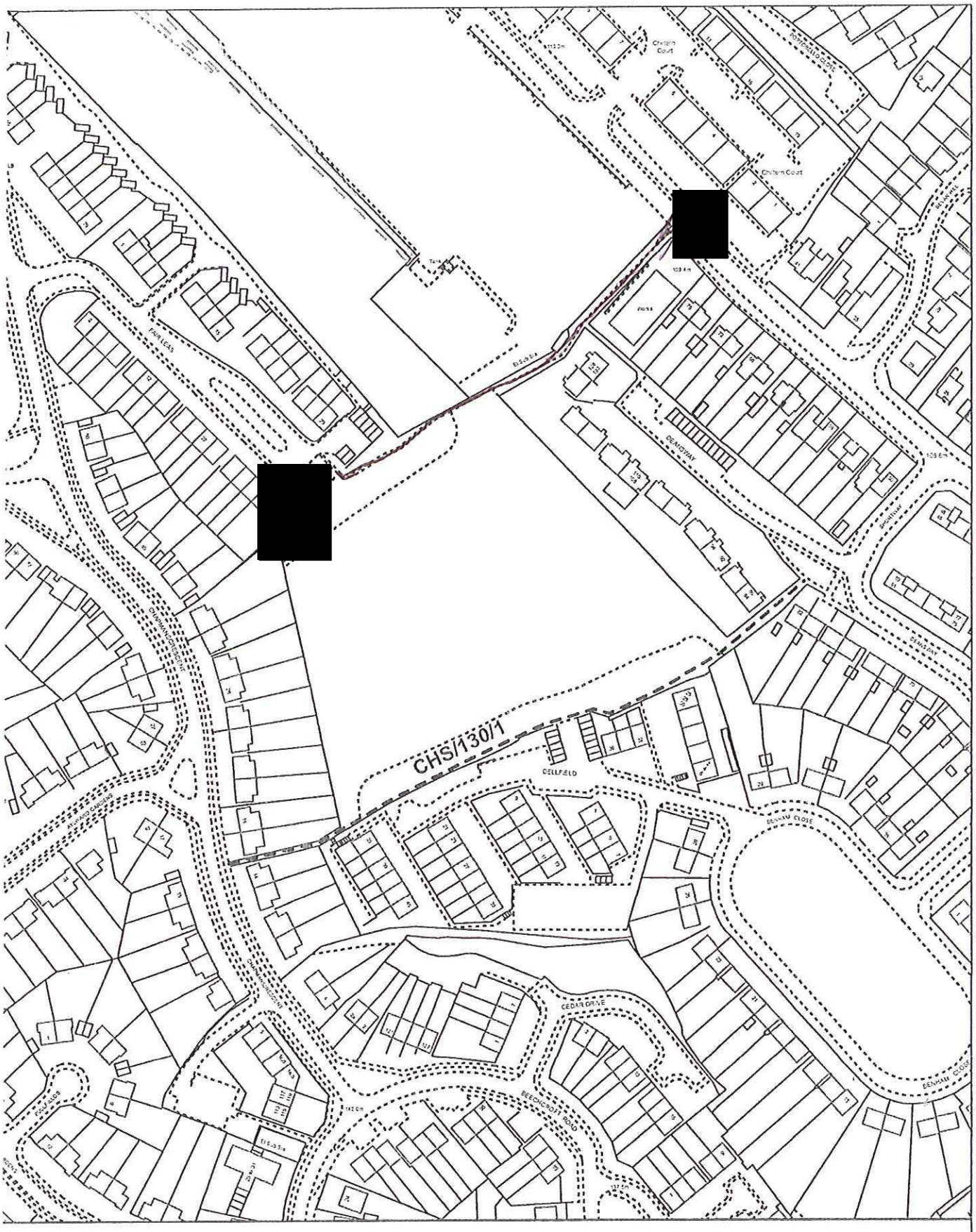
Your Contact Details

Your Name	[redacted]
Address	
Phone Number (preferred) Not to be disclosed	
Email Address Not to be disclosed	
Parish (where claimed route exists)	CHESHAM



[redacted]

9/10/16

Public Rights of Way

- FOOTPATH
- BRIDLEWAY
- RESTRICTED BYWAY
- BYWAY OPEN TO ALL TRAFFIC
- PARISH BOUNDARY

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