

CARRICKFERGUS BOROUGH COUNCIL
PUBLIC RIGHT OF WAY INVESTIGATION EVIDENCE FORM

The object of this enquiry is to reach the truth of the matter, whatever it may turn out to be. You are therefore asked to answer the questions as fully as possible and not keep back any information, whether for or against the claim that the route in question is or is not a public right of way. This is important if the information is to be of real value in establishing the status of the route.

File Ref: Downshire Drive to Larne Road Right of Way – August 2009

Council is currently investigating whether or not the path running from **Downshire Drive** (54°43'26.57"N) (5°47'12.24"W) to **Larne Road** (54°43'23.98"N) (5°47'9.30"W) is a public right of way for the purposes of the Access to the Countryside (NI) Order 1983.

Full Name:		
Address:		
Post Code:		
Daytime Tel No:		Evening Tel No:
Occupation		
How long have you lived in this area?		

Please give a description of the route in question:

Townland:	
Nearest Town/Village:	
Map Ref Nos:	

Does the route link two public places? If so where?:	

Believed usage of route e.g. walking, horse riding, cycling:	
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State any features on the route that help define its line:	

You must mark the route clearly and precisely on the attached copy map. Please answer the questions as accurately as possible. **You may continue on a separate sheet of paper if required.**

1. Do you believe the route in question to be a public right of way?

YES	NO
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1a. If so, for how many years have you held this belief?

1b. Please give details as to why you hold this belief.

2. Do you know of any other people who regard the route as a public right of way?

YES	NO
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2a. If so, who are they?

3. Have you used the route?

YES	NO
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3a. If so, during which years?

3b. For what purpose? (pleasure, business, work etc.)

3c. How many times a year?

3d. By what means? (e.g. on foot, on horseback etc.)

4. Is the route used by other people?

YES	NO
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4a. If so, for what purpose? (pleasure, business, work etc.)

4b. By what means? (e.g. on foot, on horseback etc.)

5. Is the route clearly defined on the ground?

YES	NO
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5b. If so, has it always run over the same route or has it been diverted?

Same route		Diverted	
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5c. If it has been diverted, give details and dates if known.

5d. Is there an acceptable diversion?

YES	NO
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5e. If so, describe the acceptable diverted route?

6. To the best of your knowledge, have there ever been on the route:

6a. Any stiles or gates?

YES	NO
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6b. Any notices?

YES	NO
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6c. If so, please state, with details of locations and dates, where the stiles, gates or notices stood and, in the case of notices, what was said on them:

- Who owns or occupies the land crossed by the way?
- If you were working for any owner or occupier of land crossed by the route at the time when you used it, or if you were a tenant of any such owner, please give details and dates. If not please write No.

7. If you were working for, or a tenant of the owner, did you ever receive any instructions from him/her as to the use of the route by the public? If so, what were they? If not write No.

8. Have you ever been stopped or turned back when using this route?

YES	NO
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8a. If so, please state when and what happened.

8b. Have you ever heard of anyone else being stopped or turned back whilst using this route?

YES	NO
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8c. If so, please state when and what you heard happened.

9. Have you ever been told by any owner or tenant of the land crossed by the route, or by anyone in their employment, that the way was not public?

YES	NO
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9a. If so, please state the date/s and outline what was said.

10. Have you ever known there to be locked gates or other obstruction along the route?

YES	NO
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10a. If so, please give details.

11. Have you ever seen notices such as "Private", "No Road", "No Thoroughfare" or "Trespassers Prosecuted" either on or near the route?

YES	NO
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11a. If so, what did these notices say?

12. Have you ever been given permission to use the route?

YES	NO
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13. Do you know of any other evidence to support or deny a public right of way claim concerning this route? eg written historical information, maps, evidence of other people.

YES	NO
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14a. If so, please give details (continue on a separate sheet if necessary)

I hereby certify that to the best of my knowledge and belief, the facts that I have stated are true. I understand that I may be required to attend a hearing or Court to give evidence on oath on this matter should this prove necessary.

Signed: _____ Date: _____

Please complete and return this form to: Carrickfergus Borough Council, Parks & Countryside Section, Museum & Civic Centre, Antrim Street, Carrickfergus, BT38 7DG.
T: (028) 93358039 ~ F: (028) 93366676 ~ E: greenspace@carrickfergus.org

