

## Public Right of Way User Evidence Statement

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc). You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

**This statement should be completed by one person only and should relate to only one route.** If you need more space, please continue on a separate sheet which will need to be attached to this statement.

**If completing the statement by hand, please ensure it is written legibly and in black ink.**

### Confidentiality – Please Read Carefully

**The information you give in this statement cannot be treated as confidential.**

- The information you provide will be retained by the OMA for the purposes of undertaking its statutory obligations in accordance with The Wildlife and Countryside Act 1981, section 53. For the purposes of data protection, the OMA is the data controller. It may use an Agent to undertake certain obligations on its behalf. If so, the Agent will be the data processor.
- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners, and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the General Data Protection Regulation. It is held by the OMA's Highway Service – Asset Information for the sole purpose of processing the application for the route referred to, and for no other purpose.

**Please print your name here: Catherine Marcus**

**Your: Home Telephone Number .....**

**Mobile Telephone Number: 07765828685**

**Email Address: catherinemarcus81@gmail.com**

**Statement of Truth**

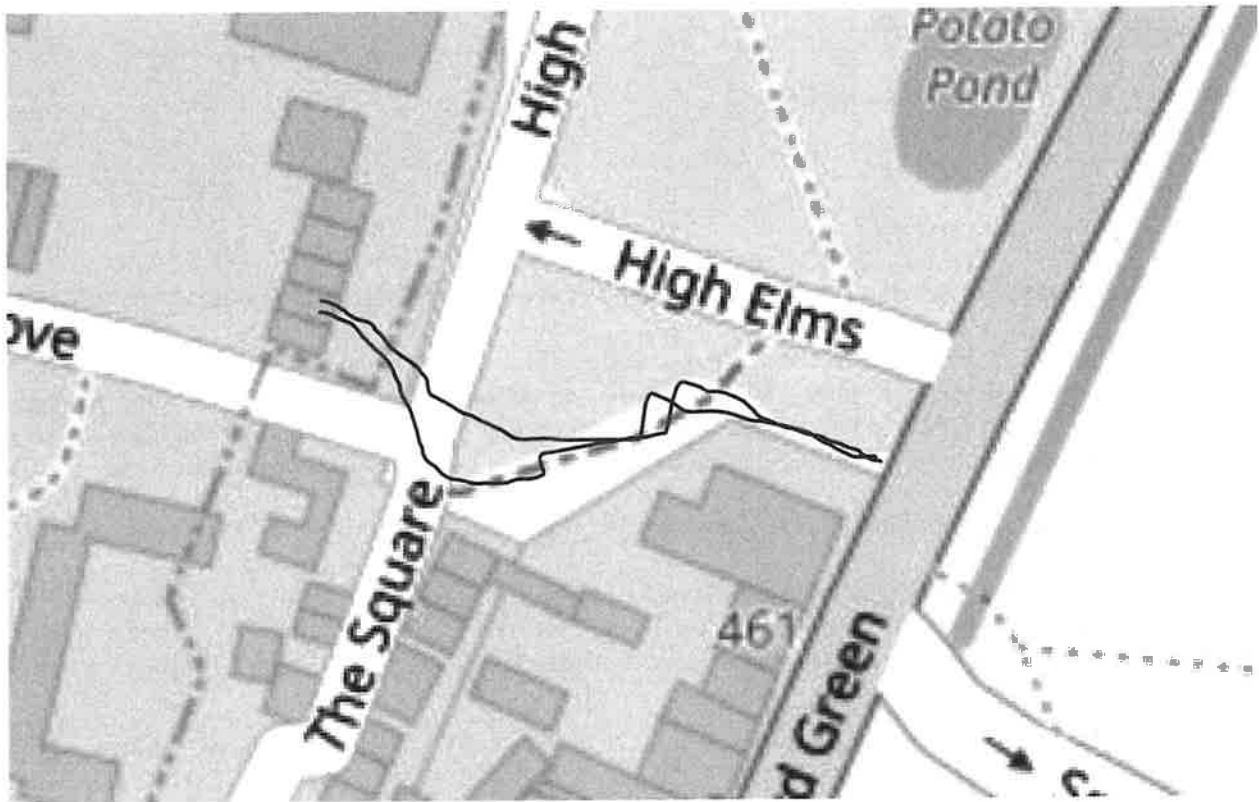
**I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATION ABOVE AND THE WARNING BELOW**

**Your Signature: Catherine Marcus**

**Date: 27 October 2020**

**You should keep a copy of the completed statement**

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.



5. Has the application route always followed the same course?

☐ Yes ☒ No

If no – how and when was the route altered?

No I have walked the path in different ways: one way is through from the top of Elm Grove through to parking lot through the little alley way next to the post office. Another way is cutting across the green front across our house as shortcut to the path, when the weather is good and the grass is dry.

6. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [or please state 'don't know']

Sorry I don't know.

7. Are there, or were there, any physical boundaries to the route? If so, please describe them **in detail**. Any photographs, especially older ones, can be helpful.

Yes in recent years there have been chains and cars dumped in the path in such a way as to make passage as difficult as possible for pedestrians. They have not always been there – I can't specify when they were set up, but the cars had signs saying that the land was private and that anyone touching the chains / cars would be pursued by Britannia.

8. What type of surface does the application route have? (for example, grass, gravel, earth)

It has varying surfaces: grass, gravel and earth.

9. Have there ever been any of the following on the application route?

a. Stiles ☒ No ☐ Yes  
[state locations and show on your map]

b. Gates ☒ No ☐ Yes

c. Other barriers ☐ No ☒ Yes  
[state what they were and location, how long they were in place and show on your map]

Chains were installed to hinder pedestrians' passage.

How long were they in place?

Not sure, but they weren't there since 2012 as there were a few good years where it was clear passage and easy to walk, as I remember doing this with my son and his friends easily, and it is much harder now with my daughter who is same age and struggled to get over the chains.

10. Did any of the above prevent you from using the application route?

☐ No ☒ Yes

If yes, please give details

Yes, the chains and the cars dumped on the path have made it much harder to negotiate the path, particularly with small children. I tripped on the chains when stepping over them a couple months ago as I was tired after a jog and

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example, photographs, guidebooks, letters, sale documents, old maps, etc.)

☐ No

☒ Yes

If yes – please provide details

My husband did some research around this and compiled it for a petition which will be shared with this application.

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

It is a public pathway, to my understanding, so the efforts that Mr Bales making to intimidate and dissuade local residents from using the path are morally and legally wrong.

19. During the investigation the OMA may want to interview some or all the claimants to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

☐ No

## **DECLARATION – Important, please read carefully**

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### **Highways Service – Asset Information: Data Protection Privacy Notice**

We collect and use information about you - such as your name, address, email address, telephone number, so that we can undertake our statutory duties acting in our capacity as the Order Making Authority under the Wildlife & Countryside Act 1981, Freedom of Information Act 2000 and Environmental Information Regulations 2004.

Full details about how we use this data and the rights you have around this can be found in Redbridge Councils privacy notice at <https://www.redbridge.gov.uk/have-your-say/consultations/consultations-privacy-notice/>. If you have any queries, please contact the Data Protection Officer at [data.protection@redbridge.gov.uk](mailto:data.protection@redbridge.gov.uk). The national regulator for Data Protection is the Information Commissioner's Office: <https://ico.org.uk/>.

## PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

### ABOUT YOU

Name **Rita O'Sullivan**

Address **1 Elm Terrace High Elms Woodford Green IG8 0UP**

Year of Birth **1965**

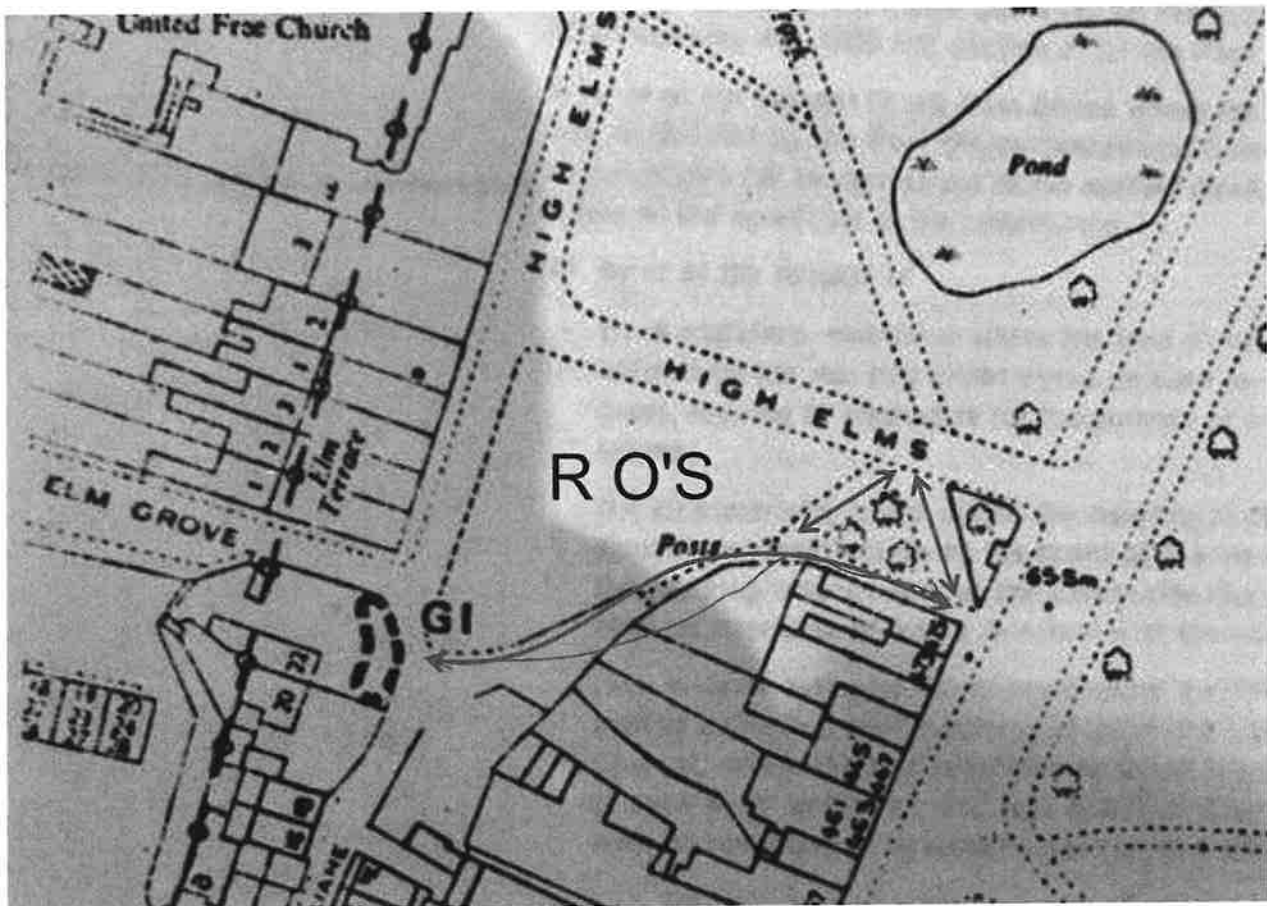
Have you lived at any other addresses during the time you have used the path or way?

If so, please provide details of locations and years [full addresses are not required]

**NO**

### MAP OF THE APPLICATION ROUTE

Please see attached a selection of maps, identify the route you are providing evidence about and annotate it with any one of them with anything you provide details about in this statement. Please put your initials on your map and date it. **DO NOT ADD YOUR FULL SIGNATURE.**



## YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From

January 2012

To October 2020 present time

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

No, this is the route I take to get to the shops or High Road and on. If it has been blocked I will walk through the FEGP private carpark and back onto the path. Similarly when the FEGP car park has been blocked I will walk the path to get round. The route has had poles and chains at different times but it has not stopped me walking around or over. There has been a period when the City of London let the whole area overgrow and rubbish was dumped on the path. It was cleared in 2018 and the path was fully accessible again after that. The chains and post have not always been up sometimes they were broken and laid on the floor. There has always been cars parked in the area nearest to 15 The Square and in front of the Mews again this has not stopped me from walking the route.

3. Describe the application route (include start and finish points and provide OS grid references if you can)

The footpath starts at 15 The Square and past Chestnut Mews along the FEGP carpark and back out onto High Elms or beside the Bookshop which is now William Rose estate agent.

4. How did you use the application route and how often? [Please tick any that apply]

By\Freq.	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
Foot	<input checked="" type="checkbox"/> Sometimes	<input checked="" type="checkbox"/> More likely				
Horseback						
Pedal cycle						
Motor Vehicle						
Horse Drawn						

5. Has the application route always followed the same course?



Yes



No

If no – how and when was the route altered?

Because of overgrowth and occasionally cars I have had to divert through the FEGP carpark as stated above. However the route has remained the same. You start and finish on the same path irrespective of diversions.

9. Have there ever been any of the following on the application route?

- a. Stiles ☒ No ☐ Yes  
[State locations and show on your map]

How long were they in place?.....

- b. Gates ☒ No ☐ Yes  
[State locations, if these were ever locked– and show on your map]

- c. Other barriers ☐ No ☒ Yes  
[state what they were and location, how long they were in place and show on your map]

**Metal posts and chains which were placed by FEGP when their carpark was being abused by the residents of Chestnut Mews. Also the path had periods of chains and posts. All of which were not obstructions in the sense that you could physically walk around or over them.**

10. Did any of the above prevent you from using the application route?

☒ No ☐ Yes

If yes, please give details

**As stated above along with chains and posts there have periodically been cars dumped here for periods of time, however the area has still been accessible even if I have had to go through the FEGP carpark and back onto the path.**

**A dumped Mercedes was here for a while and also a Jaguar. Dependant on the overgrowth and the placing of the cars in general I have been able to walk the route.**

**Even though most of the time that the brambles were overgrown on the green you could still see and access the path as it had been tracked. There was a small period in 2018 before the brambles were cut back by City of London when there had been a dumping of belongings on the path this was I'd say the only time you couldn't physically get past.**

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example, "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☐ No ☒ Yes

If yes – state when and give details, including when they were present and mark their location on your map

**Two posts were put up around the 21<sup>st</sup> of July 2020, with signs saying, Private no public access, these were covered with Public footpath signs on the 24<sup>th</sup> of July (by Sir Iain Duncan Smith MP).**

**One post, the one to the south was removed around mid-August. The other remains there today, although it has been covered for most of the time with pedestrian footpath signs.**

I understand the route constitutes a historic route, and as such is a highway and has always been a highway. It has been a public highway since at least 1866.

19. During the investigation the OMA may want to interview some or all the claimants to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

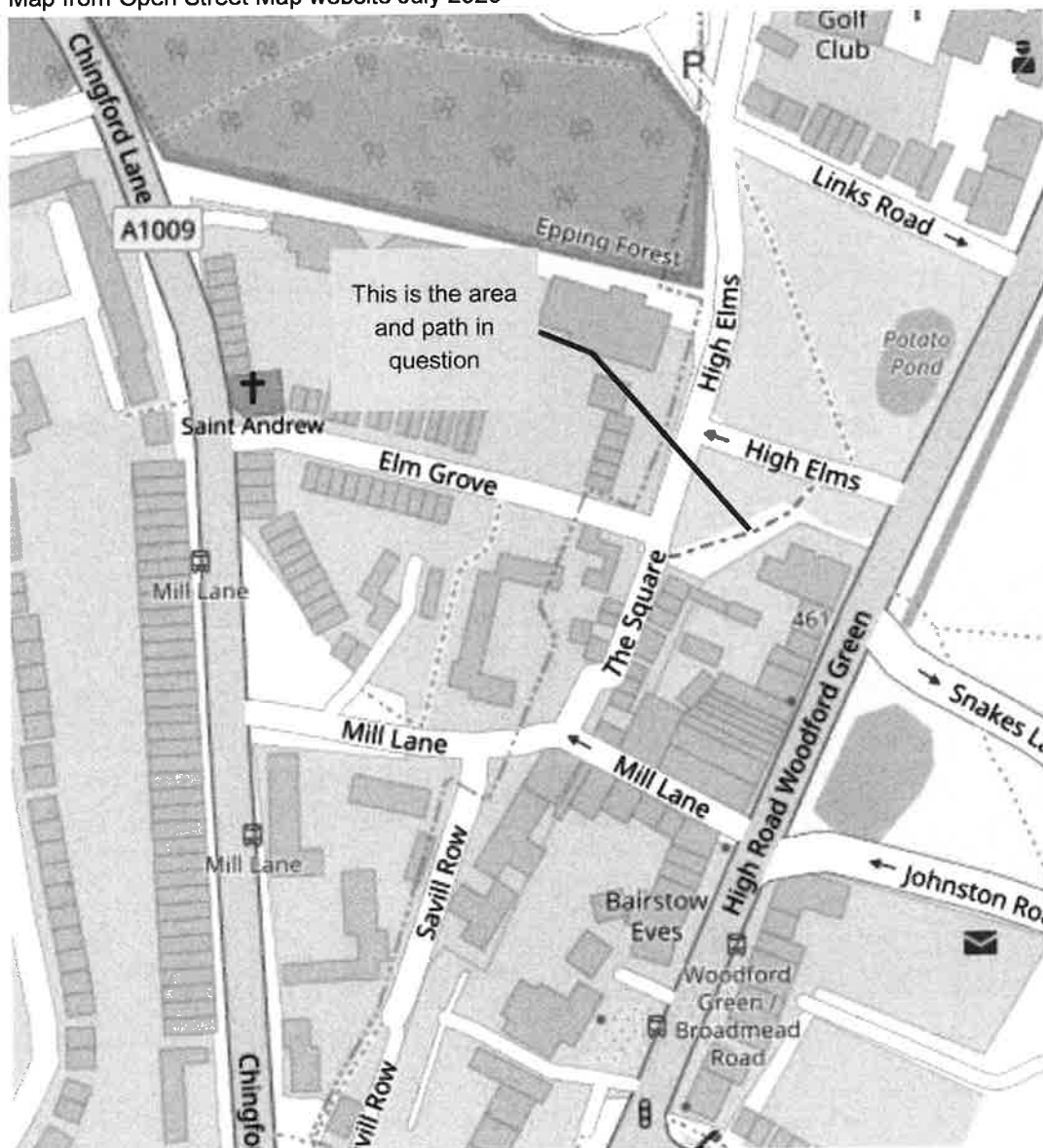
☐ No

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

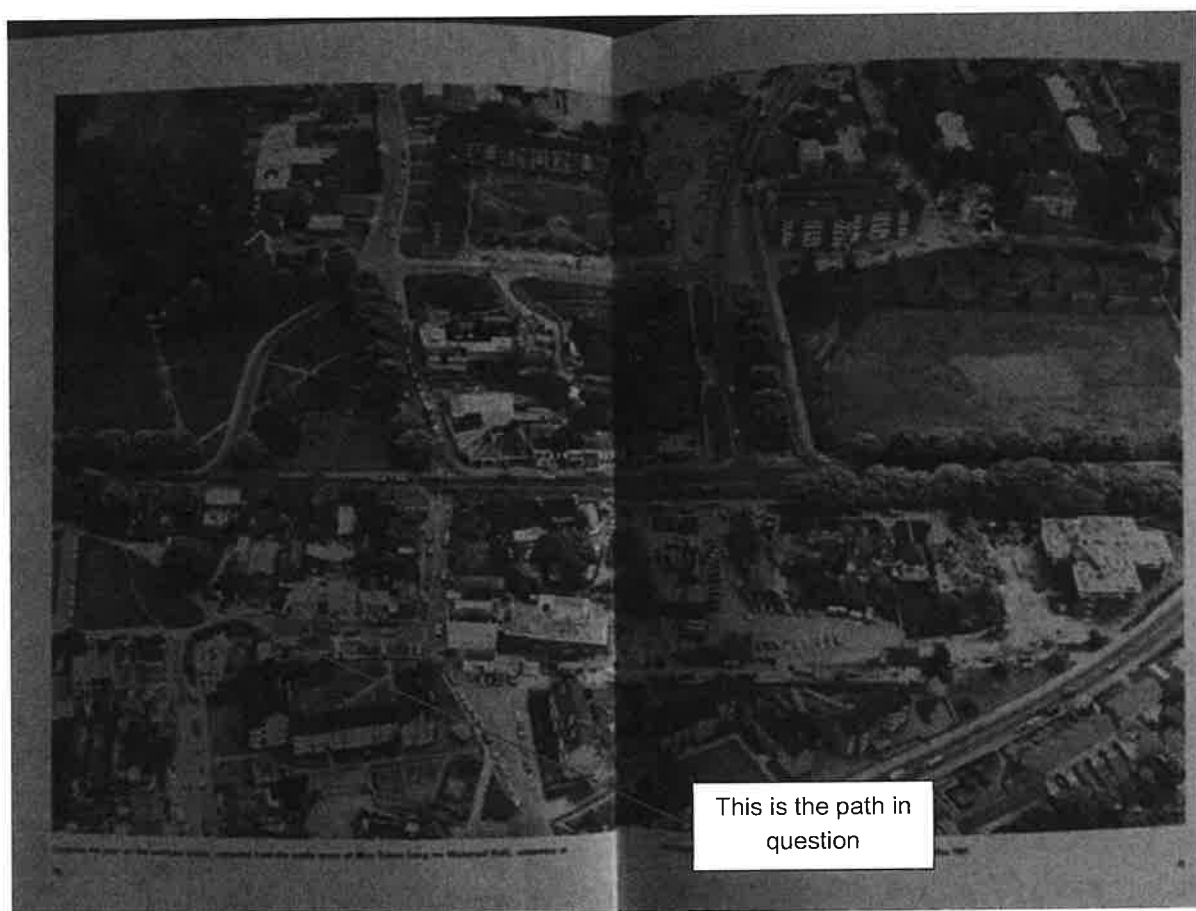
☒ Yes

☐ No

Map from Open Street Map website July 2020



Ariel photo showing path from 1981



Land Registry Search map

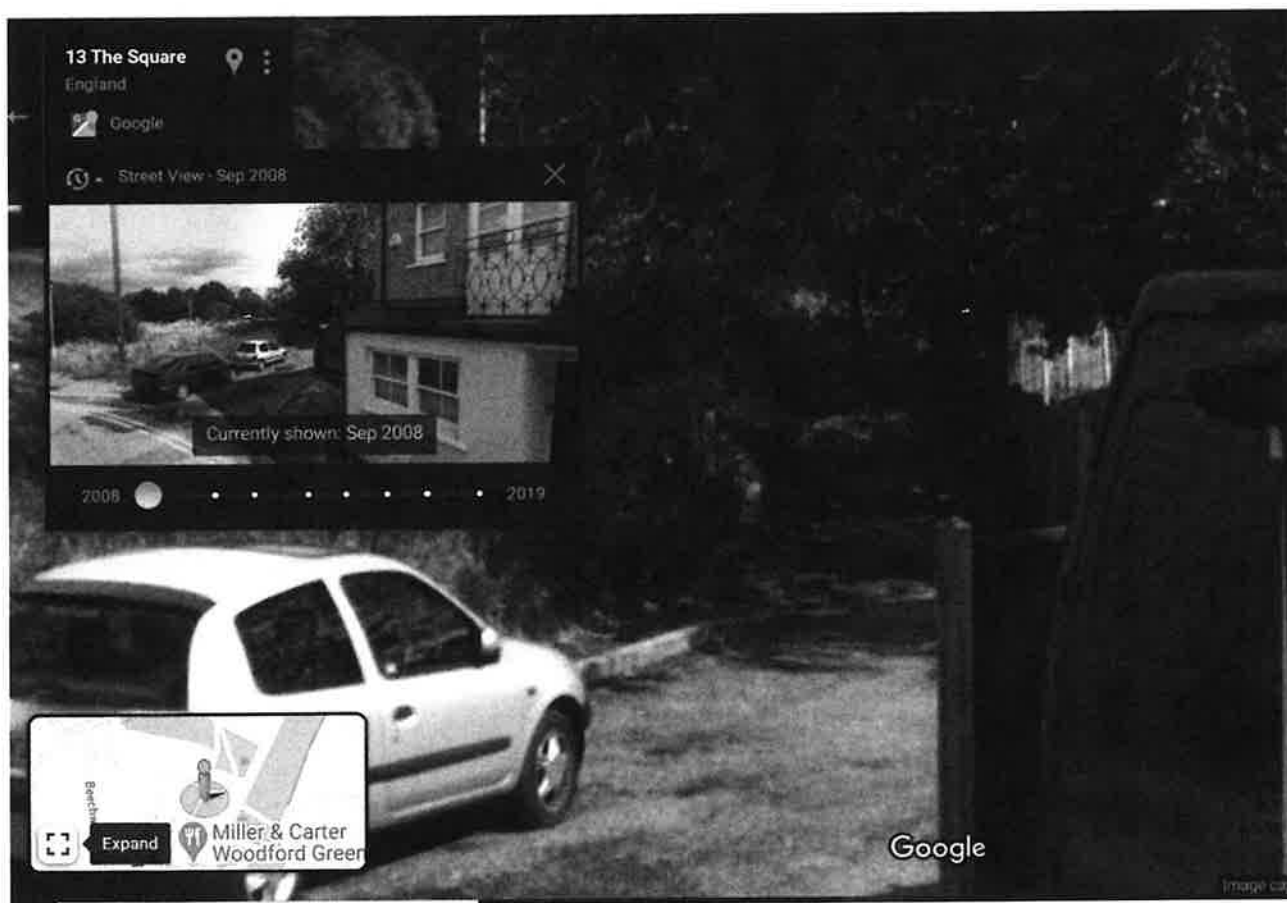


1866 - 1868



This is the path in question

No Chains 2008 path was overgrown to the left but you can still see route tracked through the middle.



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Please print your name here ...Mr Prakash Patel.....

Your: Home Telephone Number 0207 476 5910...(020 8559 1016 work please use this number on  
Tues,Weds & Thurs as I am all day in work.....

Mobile Telephone Number 07779333545.....

Email Address ddsjltd@gmail.com.....

**Statement of Truth**

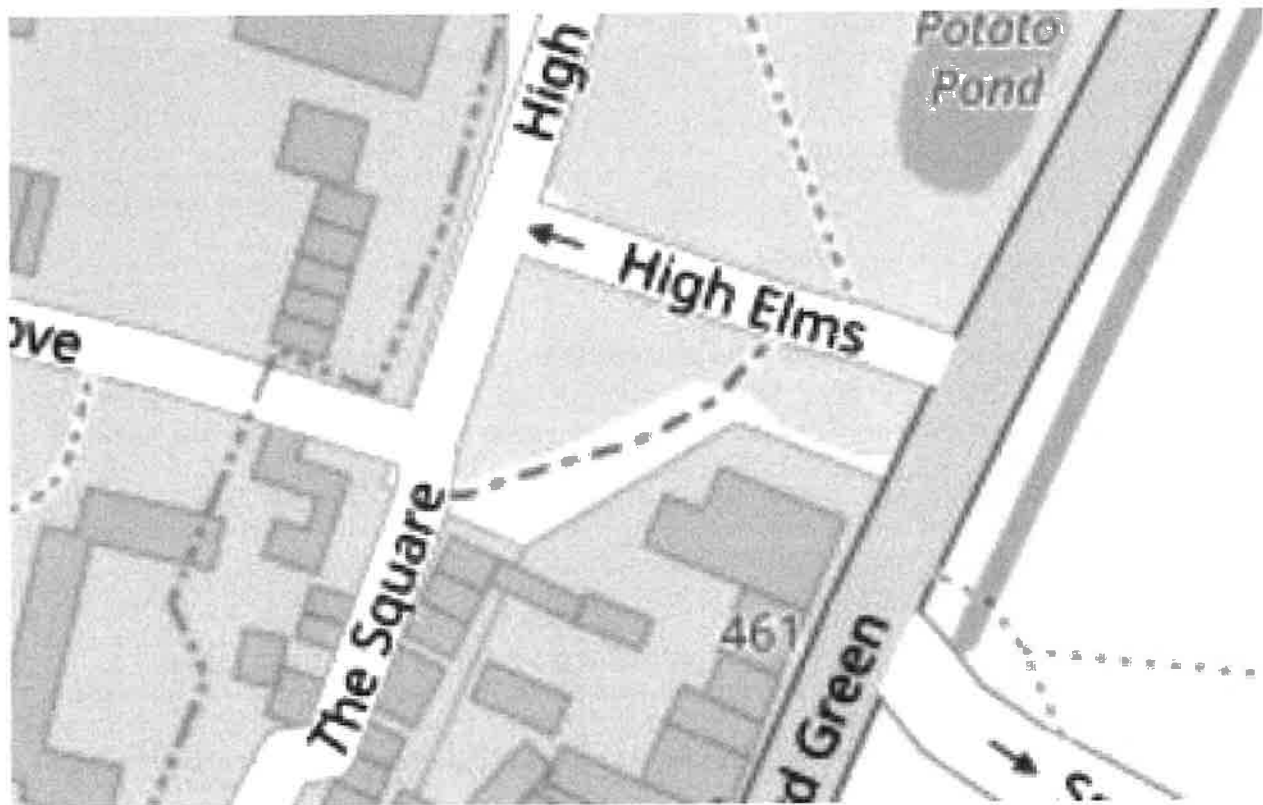
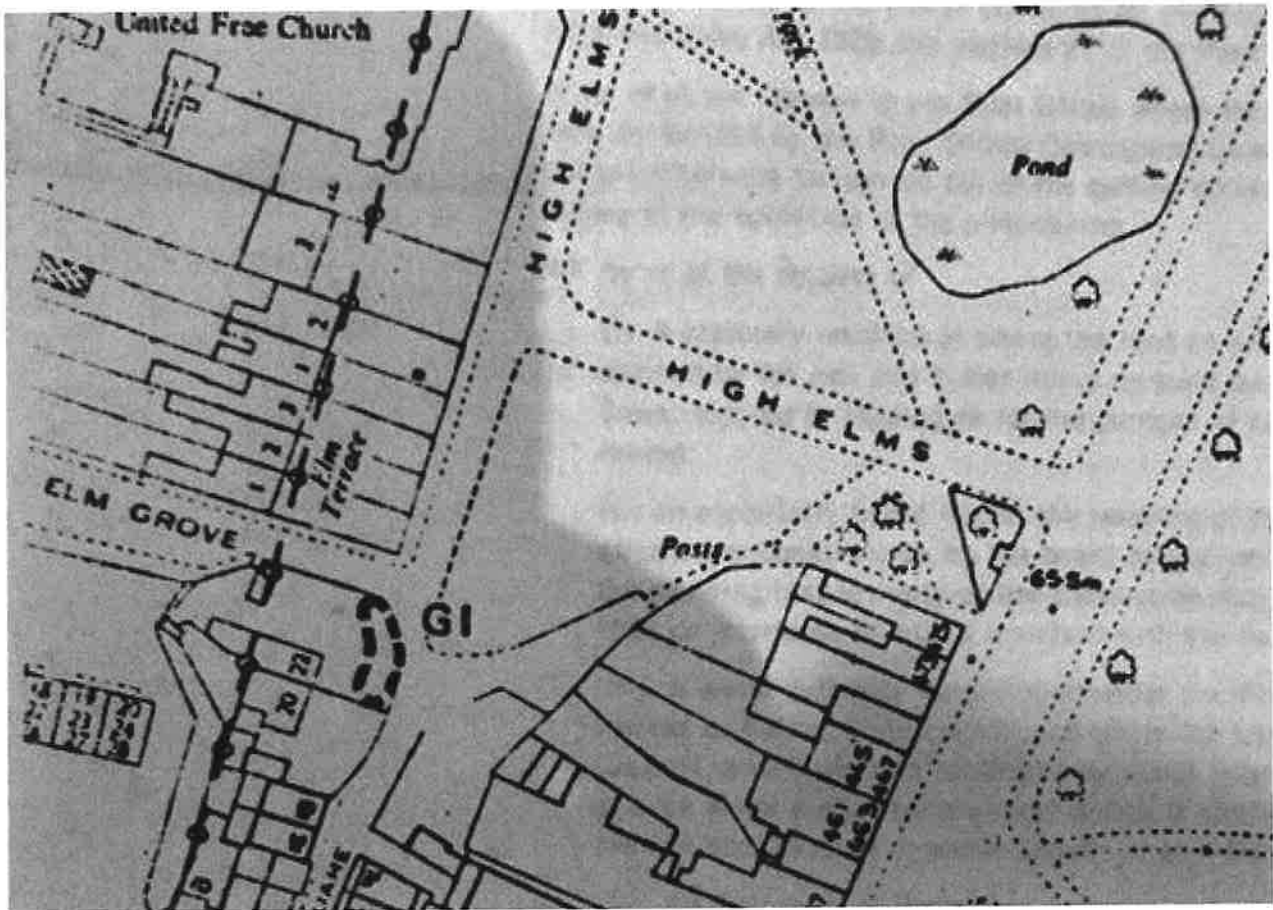
**I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE  
READ THE DECLARATION ABOVE AND THE WARNING BELOW**

**Your Signature:** *P Patel*

**Date:**  
**08 / 11 / 2020**

**You should keep a copy of the completed statement**

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4. How did you use the application route and how often? [Please tick any that apply]

<b>By\Freq.</b>	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
Foot						
Horseback						
Pedal cycle						
Motor Vehicle	Yes					
Horse Drawn						

5. Has the application route always followed the same course?

☒ Yes      ☐ No

If no – how and when was the route altered?

6. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [or please state 'don't know']

Normally there are two sections here the larger section which also leads to the walk path you can get a large vehicle through i.e. a van or small to medium size lorry the smaller section you can get a standard size car through i.e. a saloon

.....

10. Did any of the above prevent you from using the application route?

☐ No      ☒ Yes

If yes, please give details

Chains fixed from the big tree to either side of the sections to prevent anyone using the right of way also other cars and vans? Lorry were being parked as prevent anyone from able to use that right of way

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## Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example, photographs, guidebooks, letters, sale documents, old maps, etc.)

☒ No

☐ Yes

If yes – please provide details

.....

.....

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

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In all the time I have used this right of way no one has ever told me not to use

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19. During the investigation the OMA may want to interview some or all the claimants to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

☐ No

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## PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

### ABOUT YOU

Name .....Kathryn Griffiths.....

Address .....6 Links Road, Woodford Green, Essex.....

.....Postcode ...IG8 0SS.....

Year of Birth .....1960.....

Have you lived at any other addresses during the time you have used the path or way?

If so, please provide details of locations and years [full addresses are not required]

.....8 Elm Grove from 1985 - 1992 (approx).....

.....

### MAP OF THE APPLICATION ROUTE

Please see attached a selection of maps, identify the route you are providing evidence about and annotate it with any one of them with anything you provide details about in this statement. Please put your initials on your map and date it. **DO NOT ADD YOUR FULL SIGNATURE.**



Horseback						
Pedal cycle						
Motor Vehicle						
Horse Drawn						

5. Has the application route always followed the same course?

☒ Yes      ☐ No

If no – how and when was the route altered?

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6. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [or please state 'don't know']

.....Approx 2 metres

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7. Are there, or were there, any physical boundaries to the route? If so, please describe them **in detail**. Any photographs, especially older ones, can be helpful.

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c. Other barriers ☐ No ☒ Yes

[state what they were and location, how long they were in place and show on your map]

There are chains across the ends of the path now, I'm not sure how long they've been there.

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10. Did any of the above prevent you from using the application route?

☐ No ☒ Yes

If yes, please give details

...The chains are the width of the path, but there are also no trespassing signs and so I stopped using the path for a while until I realised that the signs and chains were illegal and that it was still a public right of way.....

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19. During the investigation the OMA may want to interview some or all the claimants to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

☒ Yes

☐ No

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☐ Yes

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## PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

### ABOUT YOU

Name .....Professor Ian Haines.....

Address .....1 Clematis Gardens

Woodford Green.....

.....Essex.....

.....

.....Postcode ...IG8 0BU.....

Year of Birth .....1943.....

Have you lived at any other addresses during the time you have used the path or way?

If so, please provide details of locations and years [full addresses are not required] Yes 9 Park Avenue Woodford Green Essex IG8 0EU...1994 to 2016.....

.....

### MAP OF THE APPLICATION ROUTE

Please see attached a selection of maps, identify the route you are providing evidence about and annotate it with any one of them with anything you provide details about in this statement. Please put your initials on your map and date it. **DO NOT ADD YOUR FULL SIGNATURE.**

I have used the route by the side of the previous Village Bookshop and then the path right behind the shop and other properties (now chained off) to reach The Square in order to avoid walking on the road up towards the houses by the church on High Elms on many occasions. I have done so several times since the chains were put up, I believe illegally.

Please note that I cannot find a way of electronically make this on the map below. Ian Haines



## YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From ..... To .....

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

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3. Describe the application route (include start and finish points and provide OS grid references if you can)

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11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example, "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

☐ No      ☐ Yes

If yes – state when and give details, including when they were present and mark their location on your map

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### Land Ownership

Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☐ No      ☐ Yes

13. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☐ No      ☐ Yes

14. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☐ No      ☐ Yes

15. Have you ever been stopped or turned back when using the application route?

☐ No      ☐ Yes

If yes, please give details including when this happened

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16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

☐ No      ☐ Yes

If so, please provide details

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### Confidentiality – Please Read Carefully

**The information you give in this statement cannot be treated as confidential.**

- The information you provide will be retained by the OMA for the purposes of undertaking its statutory obligations in accordance with The Wildlife and Countryside Act 1981, section 53. For the purposes of data protection, the OMA is the data controller. It may use an Agent to undertake certain obligations on its behalf. If so, the Agent will be the data processor.
- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners, and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the General Data Protection Regulation. It is held by the OMA's Highway Service – Asset Information for the sole purpose of processing the application for the route referred to, and for no other purpose.

Please print your name here:

JOHN DAVID O'SULLIVAN

Your:

Home Telephone Number:

020 8505 5280

Mobile Telephone Number:

07785 531 268

Email Address:

David.osullivan@zoho.com

**Statement of Truth**

**I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATION ABOVE AND THE WARNING BELOW**

Your Signature:



Date:

26/10/2020

**You should keep a copy of the completed statement**

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.



During my time here (since 2012) the green area adjacent to the path, managed by Epping forest was for a long time overgrown with brambles and thick vegetation, making it impassable so people at least since 2012 were diverting through the car park. The management of the adjacent area was altered due to complaints about rats and other vermin and Epping forest cut a large part of it back in 2018 and are now cutting this area twice a year with a tractor and brush cutter. But the area is still bounded by a ditch and a bund arrangement so is not particularly accessible as a walking route, and no route is maintained through the area.

There was an assumption by a lot of the residents that the whole area including the middle area of path was managed by Epping Forest.

6. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [or please state 'don't know']

At the South end the vehicle entrance area appears as wide as 4 even 5 metres in places, depending where you measure to and from. The rest is generally 2 to 3 metres wide. Part of it was as narrow as 1m but this has been cleared to a width of closer to 3m now in the central area.

7. Are there, or were there, any physical boundaries to the route? If so, please describe them **in detail**. Any photographs, especially older ones, can be helpful.

Since 2012, fence to Rear of the private carpark to the East of the route, brambles and overgrowth to the west of the path. gable wall of 475 High Road.

8. What type of surface does the application route have? (for example, grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

From the high road the route runs as follows, Earth track to asphalt car park entrance, 2 or 3 m of asphalt, step over low chain, back to earth track to rear of the car park, outside the fence (some asphalt scalping have been scattered on this section), area of asphalt again to the rear entrance from 463 highroad Gravel then stone/gravel/type 1 material from here to The Square.

9. Have there ever been any of the following on the application route?

- a. Stiles ☒ No ☐ Yes  
[state locations and show on your map]

How long were they in place?.....

- b. Gates ☒ No ☐ Yes  
[state locations, if these were ever locked– and show on your map]

- .....
- c. Other barriers ☐ No ☒ Yes  
[state what they were and location, how long they were in place and show on your map]

1/. Two metal posts and chains at beside the car park entrance to the rear of 475 High Road, these have been here since I started walking the route in Jan 2012.

2/. Two metal posts and chains at beside the car park entrance to the rear of 463 High Road, these have been here since I started walking the route in Jan 2012, apart from a 6 month period sometime in 2013/2014 when the chain was not in place and I could walk through unobstructed.

Mr Bales of Britannia Properties Ltd, told me in July 2020 that it was his land. I told him it was a public footpath and I had been walking it since 2012, Mr Bales abused me and threatened me and then his son told me "it's not long enough" in reference to the time I have been using the path.

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.).

☒ No      ☐ Yes

If so, please provide details

#### Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example, photographs, guidebooks, letters, sale documents, old maps, etc.)

☐ No

☒ Yes

If yes – please provide details

Please see attached notes and details of historic maps and records of the path.

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

I understand the route constitutes a historic route, and as such is a highway and has always been a highway. It has been a public highway since at least 1866.

I believe the route is also protected by the following acts of parliament:

- The Highways Act 1980, Section 32, with the attached historic maps as evidence of dedication as a highway.
- The Countryside and Rights of Way Act 2000
- The Highways Act 1980, Section 31

As well as Common law.

Its status as a highway has not been changed by an act of law and as such all the previous attempts to block access to the route and deny the right of the public to this right of way are themselves unlawful.

19. During the investigation the OMA may want to interview some or all the claimants to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

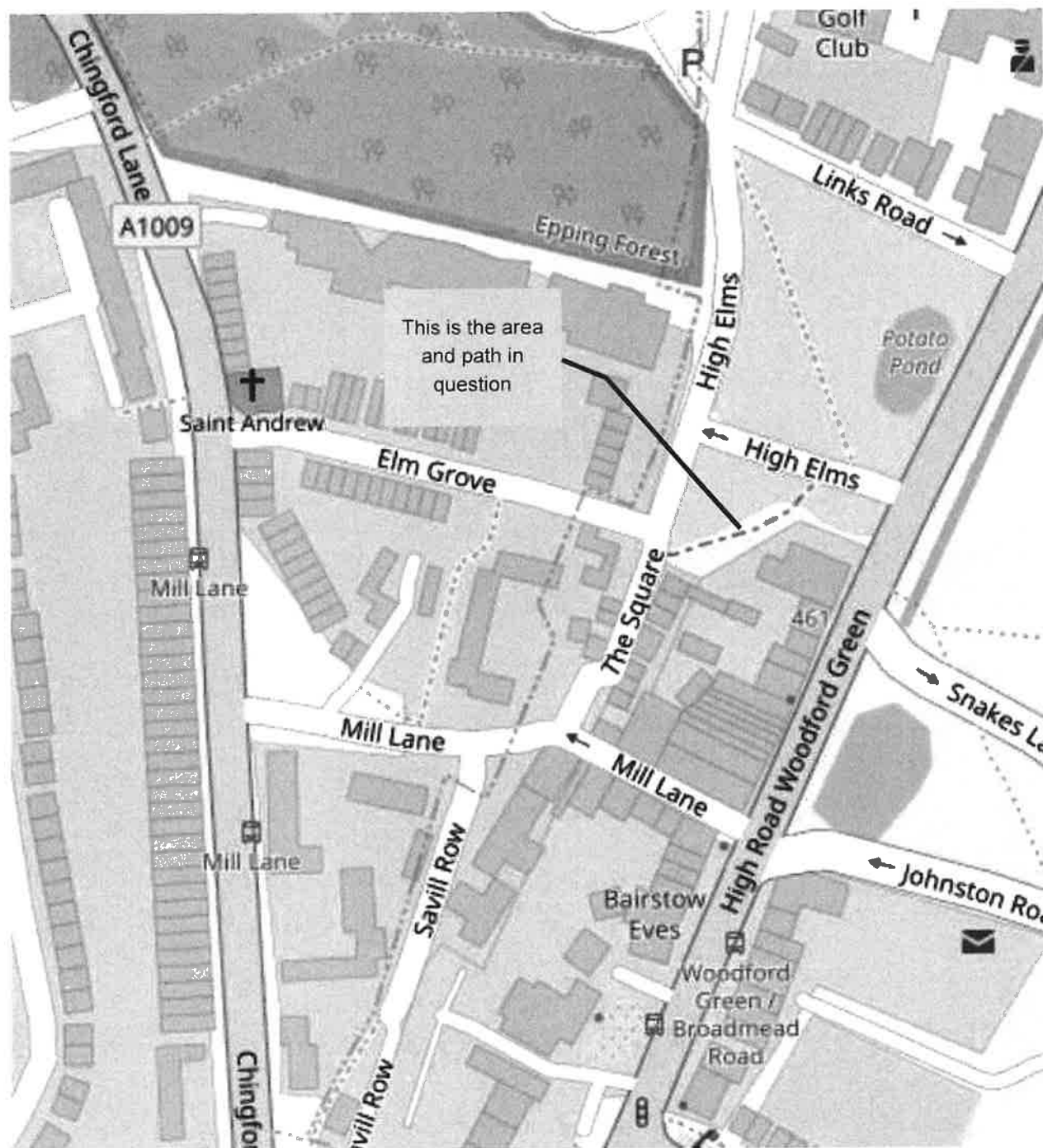
☒ Yes

☐ No

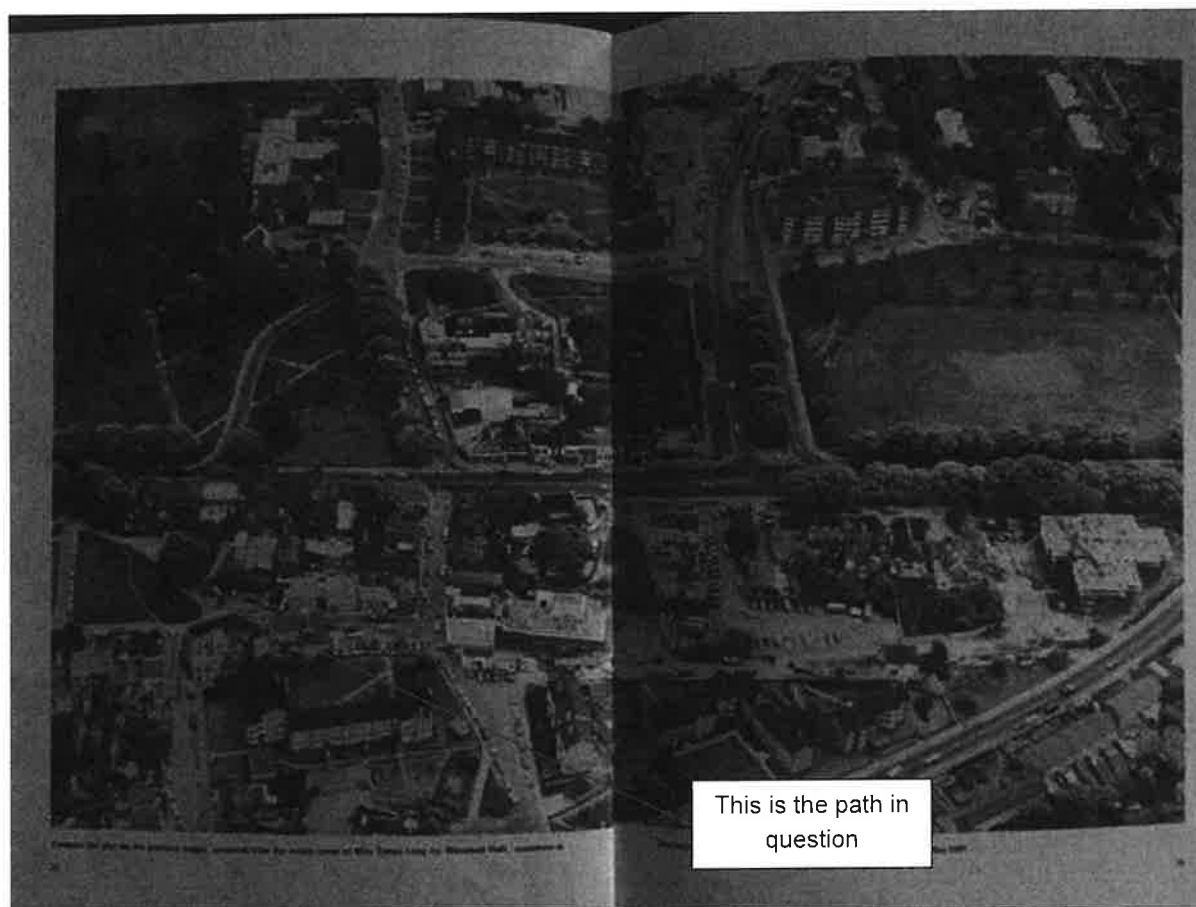
20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

☐ No



Ariel photo showing path from 1981



Land Registry Search map



1866 - 1868



This is the path in  
question

## **DECLARATION – Important, please read carefully**

### **General Data Protection Regulation 2018 (GDPR)**

Under the GDPR the OMA has a duty to inform you about how your personal data will be handled. Information provided in this statement will be used so that the OMA may undertake its statutory duties in accordance with the Wildlife and Countryside Act 1981 section 53. To determine if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be retained by the OMA and considered and published as part of its statutory duty to determine the application to establish whether a public right of way exists. In signing it, you are acknowledging that it may be made publicly available.

### **Highways Service – Asset Information: Data Protection Privacy Notice**

We collect and use information about you - such as your name, address, email address, telephone number, so that we can undertake our statutory duties acting in our capacity as the Order Making Authority under the Wildlife & Countryside Act 1981, Freedom of Information Act 2000 and Environmental Information Regulations 2004.

Full details about how we use this data and the rights you have around this can be found in Redbridge Councils privacy notice at <https://www.redbridge.gov.uk/have-your-say/consultations/consultations-privacy-notice/>. If you have any queries, please contact the Data Protection Officer at [data.protection@redbridge.gov.uk](mailto:data.protection@redbridge.gov.uk). The national regulator for Data Protection is the Information Commissioner's Office: <https://ico.org.uk/>.

## PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

### ABOUT YOU

Name .....Valerie Shelley .....

Address .....3 Elm Terrace High Elms .....

.....Woodford Green .....

.....Ig8 OUP.....

.....Postcode .....

Year of Birth .....1950.....

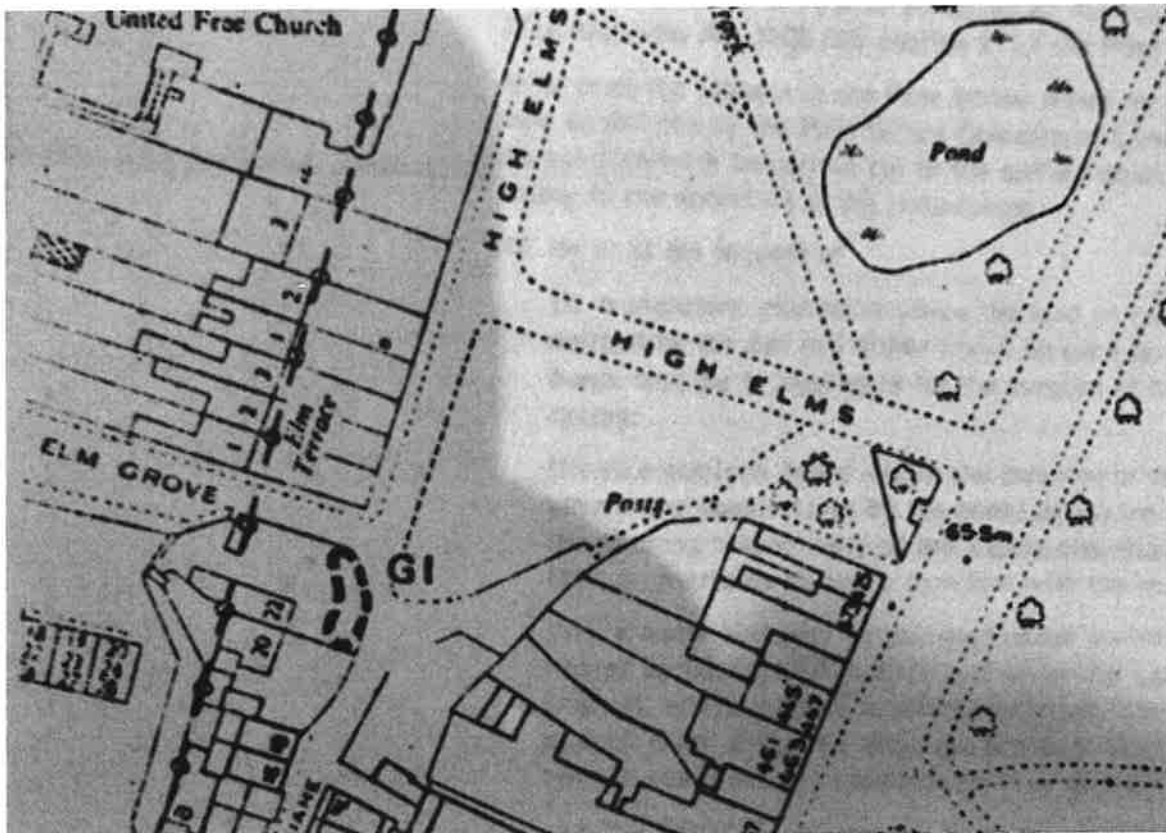
Have you lived at any other addresses during the time you have used the path or way?

If so, please provide details of locations and years [full addresses are not required]

Monkhams Avenue, Woodford Green 1986-2006

### MAP OF THE APPLICATION ROUTE

Please see attached a selection of maps, identify the route you are providing evidence about and annotate any of them with anything you provide details about in this statement. Please put your initials on your map and date it. **DO NOT ADD YOUR FULL SIGNATURE.**



4 of 10

## YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From .....2006..... To .....2020.....

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

.....

.....

.....

3. Describe the application route (include start and finish points and provide OS grid references if you can)

Until May 2020 I regularly walked from the access roadway by The Square, opposite the top of Elm Grove, towards the car park used by the High Road shop tenants, then along the path alongside No 475 High Road, formerly the Village Bookshop. In fact from 2006-2012 I occasionally parked my car in one of the Village Bookshop's allocated car parking spaces, exiting by the same route above. The city of London Corp cleared the triangle of land between High Elms and Elm Terrace around 2017/2018, as it was extremely overgrown and a haven for foxes. This in turn cleared the footpath behind the car park fence. However the footpath has been widened in recent months, to such an extent that private service vans have driven along it to gain access to Chestnut Mews, as vehicles had blocked the car park exit.

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4. How did you use the application route and how often? [Please tick any that apply]

X

<b>By\Freq.</b>	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
Foot						
Horseback						

5. Has the application route always followed the same course?

X ☒ Yes ☐ No

If no – how and when was the route altered?

However in Spring 2020 new large posts were installed at each end of the pathway, as well as extensive width increase of the pathway itself.

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6. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [or please state 'don't know']

Wide car width from Square roadway to shop tenants car park. Pedestrian footpath width has increased to enable vehicular access along it to Chestnut Mews.

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7. Are there, or were there, any physical boundaries to the route? If so, please describe them **in detail**. Any photographs, especially older ones, can be helpful.

Currently there are chains across newly installed posts which are hazardous for the elderly and those pushing buggies.

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8. What type of surface does the application route have? (for example, grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

Rough gravel and concrete roadway and new pressed gravel on footpath.

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If yes – state when and give details, including when they were present and mark their location on your map  
Not till late Spring/early Summer 2020, when Private notices suddenly appeared.

.....

.....

### Land Ownership

12. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No ☐ Yes

13. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No ☐ Yes

14. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No ☐ Yes

15. Have you ever been stopped or turned back when using the application route?

☒ No ☐ Yes

If yes, please give details including when this happened

.....

.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

☒ No ☐ Yes

If so, please provide details

.....

.....

### Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example, photographs, guidebooks, letters, sale documents, old maps, etc.)

X ☒ No

☐ Yes



No

## **DECLARATION – Important, please read carefully**

### **General Data Protection Regulation 2018 (GDPR)**

Under the GDPR the OMA has a duty to inform you about how your personal data will be handled. Information provided in this statement will be used so that the OMA may undertake its statutory duties in accordance with the Wildlife and Countryside Act 1981 section 53. To determine if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

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## PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

### ABOUT YOU

Name Jonathan Marcus

Address 2 Elm Terrace,  
High Elms  
Woodford Green  
Postcode IG8 0UP

Year of Birth 1981

Have you lived at any other addresses during the time you have used the path or way?

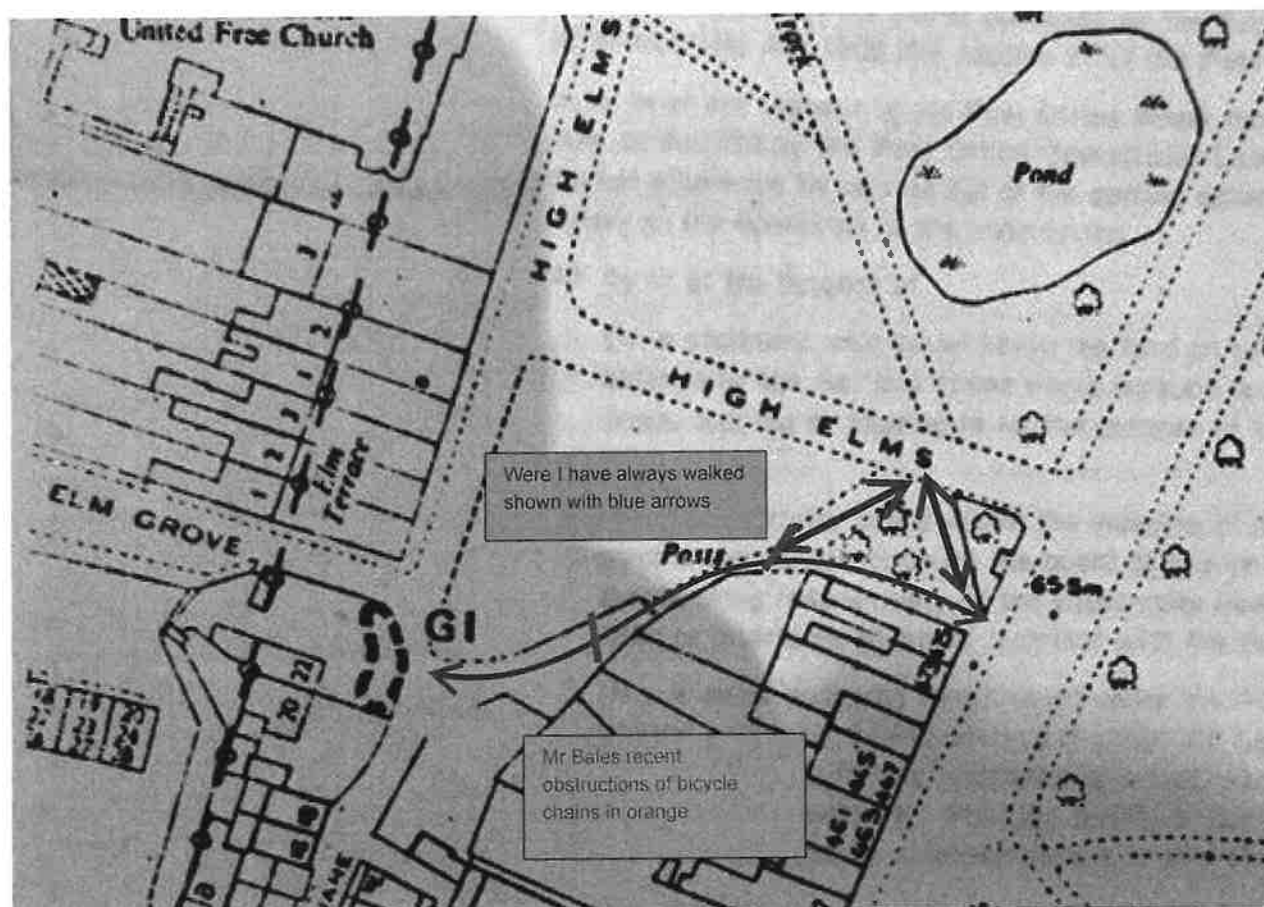
If so, please provide details of locations and years [full addresses are not required]

25 Linden Crescent, Woodford Green. 1981 - 1989

17 Monkams Drive, Woodford Green. 1989 - 2000

### MAP OF THE APPLICATION ROUTE

Please see attached a selection of maps, identify the route you are providing evidence about and annotate any of them with anything you provide details about in this statement. Please put your initials on your map and date it. **DO NOT ADD YOUR FULL SIGNATURE.**



## YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1981 To present

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

Intermittently to present: when lengths of route too over grown to easily use or significant access blockages

3. Describe the application route (include start and finish points and provide OS grid references if you can)

From The Square, past the entrance to Chestnut Mews, then then alongside the carpark and out into an area with a small cluster of trees onto the High Road by what had been The Village Book Shop and is now an estate agents

4. How did you use the application route and how often? [Please tick any that apply]

<b>By\Freq.</b>	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
Foot	x					
Horseback						
Pedal cycle						
Motor Vehicle						
Horse Drawn						

☐ No ☒ Yes

If yes – state when and give details, including when they were present and mark their location on your map

Private Keep Out signage erected by Mr Bales from circa June 2020, until covered over by Rt Hon Iain Duncan Smith MP with a Public Footpath Sign. This sign was ripped down by Mr Bales and whenever replaced was ripped down again.

### Land Ownership

12. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No ☐ Yes

13. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☒ No ☐ Yes

14. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☐ No ☒ Yes (Mr Bales)

15. Have you ever been stopped or turned back when using the application route?

No ☒ Yes

If yes, please give details including when this happened

Mr Bales tenant (name unknown, claims to be his step-daughter) coming out her flat, coming out of her complex gates and all the way to the path to threaten me when I was on the path saying she knew where I lived, was video recording me and would call the police because I was on "her landlords land and it belonged to him and doesn't belong to you" – 19<sup>th</sup> October 2020

Mr Bales said I was on his land, when we were speaking about the above tenant creating a nuisance in the neighbourhood (he denied she was his tenant or that he knew her, while she video recorded our discussion on her phone some feet away). He then repeated that not only was I on his land, but he felt intimidated by me coming to speak to him on his land. This was stood at the The Square end entrance to the footpath. Next to 11 The Square.

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc.)

☒ No ☐ Yes

### Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example, photographs, guidebooks, letters, sale documents, old maps, etc.)

☒ No

On behalf of: [ ]

Witness P J Shelley

No. of witness statement: [ ]

Exhibit: [THE IDENTIFYING INITIALS AND NUMBER OF EACH EXHIBIT REFERRED TO]

Date: 14 August 2020

CLAIM NO [ ]

**IN THE COUNTY COURT AT ROMFORD**

**BETWEEN:**

**[NAME OF CLAIMANT]**

**Claimant**

**- and -**

**[NAME OF DEFENDANT]**

**Defendant**

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-----  
**[FIRST] WITNESS  
STATEMENT OF Paul  
Jonathan Shelley**  
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each end by Brittania Properties Ltd. My footpath access route has been taken from me. This cannot be right when Mr Bales' case for ownership is incorrect.

I note that Mr Bales, the landlord of Chestnut Mews, asserts that he has owned the footpath land for many years. This does not equate with the plans attached to planning permissions 02/0018 and 02/2606 which clearly show that Brittania Properties land does not include the footpath and the red line boundary of the application site does not extend to the footpath area.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed .....Paul Shelley .....

[PRINT NAME]

Date ..... 1 November 2020.....