



Your reference:

Our reference: DF/ACO/Breda/2025

Date 17/02/2024

Dear Resident,

**Investigation to determine the status of path**

Belfast City Council is currently investigating the status of a route under the Access to the Countryside (Northern Ireland) Order 1983. The order legislates for public rights of way and the Council's duty in respect of these matters. The case in question concerns routes in the vicinity of Galwally Avenue. The Council are investigating if this route may be a public right of way.

To assist the Council in deciding if further action is necessary, complete the enclosed Public Right of Way Evidence Form and mark any route on the map. Please return any completed documents to me before 17 March 2024. Completed documents can also be scanned and returned by email to: [access@belfastcity.gov.uk](mailto:access@belfastcity.gov.uk).

If you require any further information on this matter, please do not hesitate to contact me and thank you for your assistance in this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'DFH'.

Duane Fitzsimons

Outdoor Education and Recreation Officer

Tel: (028) 90320202 Ext: 3199

[access@belfastcity.gov.uk](mailto:access@belfastcity.gov.uk)

Enc.



## City and Neighbourhood Services Department

### PUBLIC RIGHT OF WAY ENQUIRY EVIDENCE FORM

Belfast City Council is currently investigating whether or not a route in the vicinity of **Galwally Avenue** in Breda is a Public Right of Way for the purposes of the Access to the Countryside (Northern Ireland) Order 1983.

The objective 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. You may if necessary, continue your answers on a separate sheet of paper.

File Ref: (for office use only) \_\_\_\_\_

Full Name: \_\_\_\_\_

Age: \_\_\_\_\_

Address: \_\_\_\_\_

Tel No (day): \_\_\_\_\_

\_\_\_\_\_

Tel No (eve): \_\_\_\_\_

Post Code: \_\_\_\_\_

Occupation: \_\_\_\_\_

How long have you lived in the area?

\_\_\_\_\_

Please give a description of the route in question:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Townland: \_\_\_\_\_

Nearest Town/Village: \_\_\_\_\_

Map Ref. No./s: \_\_\_\_\_

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

\_\_\_\_\_

Believed usage of route e.g. walking, horse riding, cycling: \_\_\_\_\_

\_\_\_\_\_

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  (please tick as applicable)

1a. If so, for how many years have you held this belief?

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

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2. Do you know of any other people who regard the route as a Public Right of Way?

Yes  No  (please tick as applicable)

2a. If so, who are they?

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3. Have you used the route?

Yes  No  (please tick as applicable)

3a. If so, during which years?

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

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3c. During the time period you outlined above how many times have you used the route ie: \_\_\_\_\_ times on a Daily; Weekly; Monthly; Yearly; Other? (Please Circle, if other please state below).

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

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4. Is the route used by other people?

Yes  No  (please tick as applicable)

4a. If so, for what purpose? (pleasure, business, work etc.)

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

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5. Is the route clearly defined on the ground?

Yes  No  (please tick as applicable)

5a. If so, has it always run over the same route or has it been diverted?

Same route \_\_\_\_\_ Diverted \_\_\_\_\_ (please tick as applicable)

5b. If it has been diverted, give details and dates if known.

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5c. Is there an acceptable diversion?

Yes  No  (please tick as applicable)

5d. If so, describe the acceptable diverted route?

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

6a. Any stiles or gates?

Yes  No  (please tick as applicable)

6b. Any notices?

Yes  No  (please tick as applicable)

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:

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7. Who owns or occupies the land crossed by the route?

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8. 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.

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8a. 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.

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

Yes  No  (please tick as applicable)

9a. If so, please state when and what happened.

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9b. Have you ever heard of anyone else being stopped or turned back whilst using this route?

Yes  No  (please tick as applicable)

9c. If so, please state when and what you heard happened.

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10. 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  (please tick as applicable)

10a. If so, please state the date/s and outline what was said.

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

Yes  No  (please tick as applicable)

11a. If so, please give details.

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

Yes  No  (please tick as applicable)

12a. If so, what did these notices say?

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

Yes  No  (please tick as applicable)

14. Do you know of any other evidence to support or deny a Public Right of Way claim concerning this route? E.g. written historical information, maps, evidence of other people.

Yes  No  (please tick as applicable)

14a. If so, please give details (use a separate sheet if necessary)

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15. Are you willing to attend Court?

Yes  No  (please tick as applicable)

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.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## PRIVACY NOTICE

Belfast City Council is the Data Controller under the General Data Protection Regulation (GDPR) for the personal data it gathers for the purposes of determining the legal status of alleged Public Rights of Way in the Council Area.

You are providing your personal data to the Council whose lawful basis for processing is for compliance with a legal obligation under the Access to the Countryside (Northern Ireland) Order 1983. The personal data may be shared internally within the Council with staff who are involved in providing this service and where necessary, between internal departments with the purpose of supporting an effective delivery of service.

Your personal data will not be shared or disclosed to any other organisation without your consent, unless the law permits or places an obligation on the BCC to do so. The personal data is held and stored by the Council in a safe and secure manner and in compliance with Data Protection legislation and in line with the Council's Records Retention and Disposal Schedule.

If you have any queries regarding the processing of your personal data, please contact Duane Fitzsimons, Outdoor Recreation and Education Officer, at [access@belfastcity.gov.uk](mailto:access@belfastcity.gov.uk) or 028 9032 0202.

If you wish to contact the Council's Data Protection Officer, please write to Belfast City Council, City Hall Belfast, BT1 5GS or send an email to [records@belfastcity.gov.uk](mailto:records@belfastcity.gov.uk)

Please return to:

Outdoor Education and Recreation Officer  
City and Neighbourhood Services Department  
Belfast City Council  
The Cecil Ward Building  
4 – 10 Linenhall Street  
Belfast BT2 8BP

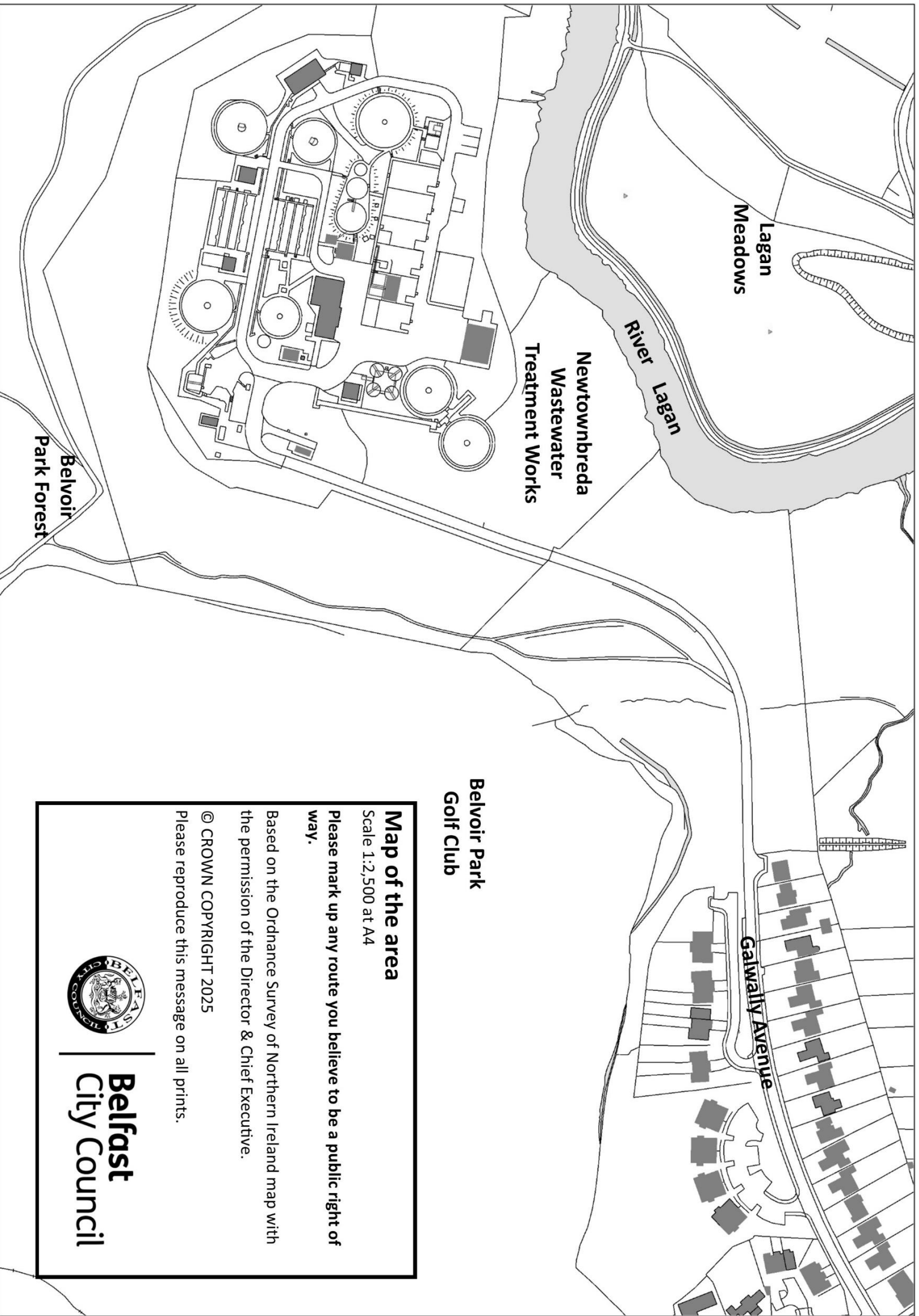
Tel: (028) 90320202 Ext: 3199

Email: [access@belfastcity.gov.uk](mailto:access@belfastcity.gov.uk)



**Belfast**  
City Council





Lagan  
Meadows

River Lagan

Newtowbreda  
Wastewater  
Treatment Works

Belvoir  
Park Forest

Belvoir Park  
Golf Club

Galwally Avenue

**Map of the area**

Scale 1:2,500 at A4

**Please mark up any route you believe to be a public right of way.**

Based on the Ordnance Survey of Northern Ireland map with the permission of the Director & Chief Executive.

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**Belfast**  
City Council