



Penderfyniad ar y Gorchymyn

Ymchwiliad a agorwyd ar 17/01/17

gan Peter Millman BA

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 03/02/17

Order Decision

Inquiry opened on 17/01/17

by Peter Millman BA

an Inspector appointed by the Welsh Ministers

Date: 03/02/17

Order Ref: Z6950/W/16/516192

The Welsh Ministers have transferred the authority to decide this Order to me as the appointed Inspector.

- The Order is made under section 53 of the Wildlife and Countryside Act 1981 ("the 1981 Act") and is known as The Vale of Glamorgan Council Definitive Map Modification Order 2014.
- The Vale of Glamorgan Council ("the Council") submitted the Order for confirmation to the Welsh Ministers.
- The Order is dated 30 September 2014 and there are five objections outstanding.
- The Order proposes to add a footpath to the Definitive Map for the area as shown on the Order map and described in the Schedule.

Summary of Decision: the Order is confirmed with modifications.

Procedural matters

1. An order to add the route (shown on the plan attached to the end of this Decision) to the Definitive Map was originally made in 2012, but was defective since it was incompletely dated. A second Order, the one before me, was made in September 2014.
2. The Council requests that if the Order is confirmed it is modified so that it refers to the newly prepared consolidated Definitive Map and Statement rather than the previous one dating from 1954. I shall grant that request.
3. The Council could identify no freehold owner of the land between A and B on the Order plan and asked for and were granted dispensation Under Schedule 14 paragraph 2(2) of the 1981 Act with regard to the serving of notices on landowners. One of the objectors to the Order, Mrs K Gallimore, submitted that it was 'fatally flawed' because a known landowner was not consulted. I do not accept that argument. The Welsh Ministers directed that it was not necessary to comply with paragraph 3(2)(b)(i) of Schedule 15, and it is not possible for me to negate that direction. I accept that it is probable that the land is owned by the Welsh Town Planning and Housing Trust Ltd, but I do not consider it likely that this body has been prejudiced by not being served with a notice.
4. Mrs Gallimore made a number of other submissions. Some of these are considered when discussing the evidence, others under 'Other Matters' towards the end of this Decision.

The Main Issues

5. The main issue is whether the evidence shows that public footpath rights exist over the route shown on the Order plan. There are two alternative tests which may be applied to the evidence to determine whether public rights exist. It was the Council's case that the evidence satisfied the common law test and showed that a pedestrian right of way had been dedicated to the public by 1975 at the latest.
6. The common law test is based on the fact that public rights of way are, generally speaking, dedicated by the owners of the land across which they run. There is very rarely evidence of an express dedication. There is none in this case. An implication of dedication may be shown at common law if there is evidence from which it may be inferred that a landowner has dedicated a right of way and that the public has accepted the dedication. The inference may arise from a consideration of historical documents instead of, or as well as, evidence of use of a route by members of the public. Section 32 of the Highways Act 1980 ("the 1980 Act") provides guidance. It states: *A court or other tribunal, before determining whether a way has or has not been dedicated as a highway, or the date on which such a dedication, if any, took place, shall take into consideration any map, plan or history of the locality or other relevant document which is tendered in evidence, and shall give such weight thereto as the court or tribunal considers justified by the circumstances, including the antiquity of the tendered document, the status of the person by whom and the purpose for which it was made or compiled, and the custody in which it has been kept and from which it is produced.* The standard of proof is the balance of probabilities.
7. The Council considered that the statutory test for confirmation of modification orders set out in section 31 of the 1980 Act was also met. It reads as follows: *(1) Where a way over any land... has been actually enjoyed by the public as of right and without interruption for a full period of 20 years, the way is to be deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it. (2) The period of 20 years referred to in subsection (1) above is to be calculated retrospectively from the date when the right of the public to use the way is brought into question...* As with the common law test, the standard of proof is the balance of probabilities.
8. I shall first consider the common law test. If it is not passed I shall then consider, in the alternative, the statutory test.

Reasons

Documentary evidence relating to the history of the Order route before 1975

9. In the 19th century all the land over which the Order route now runs was owned by the Romilly Estate and the Order route did not exist. An Ordnance Survey ("OS") plan from 1879 shows an area of fields and woods. The railway line and tunnel which are shown on the Order plan were constructed after 1885, a train service commencing in 1897. The land immediately above the tunnel, over which footpath 72e north-west of point A (see plan below) runs was vested in the railway company which constructed the line.
10. Land was leased by the Romilly Estate to the Welsh Town Planning and Housing Trust Ltd ("the Trust") in 1914 to construct Barry Garden Suburb. Barry Garden Suburb Ltd ("the Society") was formed and work to construct the estate began in 1915.

11. In 1925 the Trust entered into a 999 year lease (backdated to 1914) with the Romilly Estate for the development of the Suburb and surrounding open spaces. The map attached to the lease shows a strip of land which corresponds approximately to the line between B and C on the Order plan. Correspondence between the architect for the Trust and the Romilly Estate in 1926 confirmed that this strip was to be used only for the protection of the Trust's sewer under it, a footpath access and open space.
12. The land over the railway tunnel continued in the ownership of a railway company, by 1926 the Great Western Railway Company. A minute of a meeting of the Society in 1927 referred to a tenancy agreement for this land, noting that *Arrangements would be made for the path to be closed periodically to the public*. It seems likely, therefore, that by 1927 there was already a path over at least some of the land over the tunnel, although whether it then continued south-east of Porth-y-Castell (shown on the plan below) is not clear.
13. It seems reasonably clear from the evidence of the previous paragraph that by 1927 there was a footpath running over the line of the tunnel, the south-east end of which may have extended to, or very close to, point A. It is not, however, clear from the evidence that at this time there was a path on the line A-B-C. It seems doubtful, because a minute of the Society in 1930 referred to the possible [my underlining] continuation of the path over the tunnel land to Romilly Park (shown on the plan below to the east of Romilly Park Road). The route this would take is not defined. About two months later a minute of the Society recorded that *The Secretary reported that the Board of the Trust had considered the desirability of continuing the path over the tunnel land from the end of the Society's holding to lead to Romilly Park Road. The Secretary was accordingly asked to obtain estimates*. The route to be followed is again not described. An estimate was accepted in June 1931. These minutes make it clear that the Trust was involved in, and approved, the establishment of a path, which may have been on the line of the Order route.
14. Although it is possible that a path running from A to B to C was subsequently created in the early 1930s, the earliest OS plan to show a through route, on the line of the Order route, to Romilly Park Road is the 1:2500 plan surveyed in 1936. It shows a pair of parallel pecked lines within a pair of solid lines running from Porth-Y-Castell to Romilly Park Road, with short lines across it at the Romilly Park Road end representing a flight of steps. The symbols suggest the existence of a made-up path within margins either side, all within a solid boundary feature such as a hedge or fence. This depiction strongly suggests that the continuation of the path considered in 1930 was intended to be on the line of the Order route.
15. A minute of the Society in September 1936 recorded that *the path over the tunnel leading from Porthkerry Woods [beyond the north-western end of the tunnel] to Romilly Park is used increasingly by the general public and it is felt that efforts should be made to induce the Council to accept responsibility for its maintenance in the public interest*. Mrs Gallimore submitted that the route referred to could have been via what is now footpath 52, part of which may be seen on the map attached below; it is the purple line running north-west to south-east to the south-west of the Order route. It is possible, but it seems to me unlikely: the 'path over the tunnel' would naturally include what is now footpath 72e, and it is clear from the OS evidence that by 1936 there was a route physically in place from its end to Romilly Park Road. The entrance to Romilly Park in 1936 was, as it is now, almost directly on the other side of Romilly Park Road from point C. Using what is now footpath 52 would have involved a more circuitous route to arrive at C from the south.

16. Mrs Gallimore argued that a minute of the Society from May 1938 resolved the question of which path the previous minutes were discussing. This minute stated that negotiations between the Trust and Romilly Park Estate would embrace *the future of the footpath over the tunnel land leading down to Romilly Park Road and also of the temporary path provided some years ago linking up Porth-y-Castell and Romilly Park Road*. It was clear, she claimed, that the 'footpath over the tunnel' was what is now footpath 52, and that the 'temporary path' was the Order route, the reference to 'temporary' indicating that there was no intention by the landowner, at the time the Romilly Park Estate, to dedicate. I do not accept that Mrs Gallimore's conclusions follow from the evidence. It seems far more likely that the 'temporary' path was one shown on the 1936 OS plan, but subsequently closed, running between Porth-y-Castell and Romilly Park Road north-east of the Order route, and that the *footpath over the tunnel land leading down to Romilly Park Road* included the Order route. That description cannot be said to match the route of footpath 52.
17. Mrs Gallimore asserted that 'since the Tunnel Path was periodically closed this would stop any public rights being asserted over the Order route'. I do not accept that assertion, for the following reasons. There is evidence (paragraph 12 above) of an intention periodically to close the Tunnel Path. It does not show that the Tunnel Path was ever closed. If it was closed, no available evidence shows where, along its length, it was closed. The Tunnel Path crosses other public highways to the north-west of Porth-y-Castell; its closure, unless south-east of Porth-y-Castell, is unlikely to have had any effect on the use of A-B-C.
18. Copies of conveyances confirm that in 1941 the land under the whole of the Order route came into the ownership of the Trust.
19. A Society Minute of February 1949 noted that the land under A-B-C belonged to the Trust, that the Order route had not been 'declared' public, but that it was a great convenience to the residents of the Estate and to the public generally, and that an approach should be made to the Borough Council to take on responsibility for its maintenance in the public interest.
20. Mrs Gallimore argued that use of the Order route was permissive for residents of Barry Garden Suburb and forbidden for the general public. I do not accept that argument. The minutes considered above show very clearly that the route was used by the public and that the Trust, which owned all the land under it by 1941, knew of and accepted this use. None of the evidence before the inquiry shows that any permission to use the route was communicated to the residents of the Suburb. In addition, Mrs Gallimore argued that use of the Order route by the public could not have been 'as of right' because until footpath 72e was created by agreement in 1984 point A was not connected to a public highway. I do not accept that argument. Use 'as of right' is use which is neither by force, in secret or by the revocable permission of the landowner. If members of the public could access the start of the Order route at point A then their progress along it could have been as of right.
21. The National Parks and Access to the Countryside Act 1949 set out the process to be followed for the compilation of definitive maps of public rights of way. The Order route was not included, either in the preliminary survey of rights of way and alleged rights of way compiled by Barry Borough Council, or at any later stage. Mrs Gallimore argued that had the Order route met the criteria for a reasonable allegation of public rights existing over it, it would have been included at some stage in the process. It was not. Mrs Gallimore then argued that the legal procedures concerned with the preparation of the Definitive Map and Statement were carried out robustly and

correctly. The Council, she alleged, was seeking a modification order relying on the discovery of evidence which proved that an 'error of omission' was made during the preparation of the Definitive Map and Statement and that this discovered evidence outweighed the presumption that the Definitive Map and Statement was correct.

22. I consider that Mrs Gallimore's arguments in this instance are misconceived. I can see no indication that the Council is seeking a modification order on the basis alleged. I accept that it is legitimate to ask why, if a right of way is alleged to have existed at the time a definitive map was prepared, it was not included, or proposed for inclusion, at the time, but it does not follow from the fact that no clear answer is available, that it must be presumed that no public rights existed.
23. In support of her arguments concerning the exclusion of the Order route from the definitive map process, Mrs Gallimore produced a letter, dated 10 June 1955, from the Trust to the Clerk of Glamorgan County Council. This letter concerned paths shown on the Draft Map which affected the Trust's land (the Definitive Map was preceded by, first, a Draft Map and then a Provisional Map). One of the paths shown on the Draft Map was what is now footpath 52 (above at paragraph 15). The Trust stated that it did not recognize this path as public because *pedestrians can proceed along footpaths No. 62 and 63* [63 is the path which approaches point C from the south – see map below] *over the stone bridge* [shown crossing the railway line] *and follow the footpath to the east of the entrance of the tunnel and then along the pathway bordering the tunnel*. It was not disputed that this was a reference to the Order route.
24. One of Mrs Gallimore's conclusions from this letter was that it indicated that the Trust viewed the Order route as an 'alternative route' to footpath 52 rather than as a public footpath. It appears to me, however, from this letter, that the landowner – the Trust – did not dispute in 1955 the right of the public to walk along the Order route. The letter does not provide any reason why the Order route, despite this acceptance, was itself not shown on the Definitive Map. Possible explanations (apart from the assertion that it did not carry public rights) were put forward at the inquiry. It was suggested, for example, that because there had seemed to be a general belief that section 57 of the British Transport Commission Act of 1949 precluded the acquisition of public rights of way on a path over a railway tunnel (which it does not) the then County Council would have been unwilling to include what would have been a cul-de-sac path ending at A, on the Definitive Map. No suggestion was more than speculative.
25. The 1954 OS 1:1250 plan showed the Order route in a similar manner to the 1936 plan (paragraph 14 above) except that the path was annotated 'F.P.' for footpath. It is therefore likely that the surveyor at the time noted its use as a footpath. The same annotation was used on the 1973 OS 1:2500 plan.

Conclusions from the documentary evidence

26. The evidence supporting the existence of public rights on the Order route consists of OS maps, conveyances, letters and minutes of meetings of the Society and the Trust. There is no doubt that these documents are what they purport to be; they are genuine. Because the references to and depictions of the Order route in them are contemporaneous and because they were created when there was no dispute about the existence of public rights, they must be given considerable weight. They suggest very strongly that the Order route was in existence on the ground from some time in the early 1930s, and had been used between then and 1955 by members of the public with the knowledge and agreement of the landowner, the Trust, since 1941. There is no evidence of a challenge to use by a landowner before 1975, when the Trust sold

the land under B-C – see below at paragraph 39). This evidence is sufficient, in my view, to support an inference that the landowner dedicated rights of way on foot to the public and that the public, by using the route, accepted that dedication.

27. An argument said to support the non-existence of public rights of way on the Order route was its non-inclusion in the definitive map process in the early 1950s. It was argued that there was a presumption that if a right of way was not included at that stage, then, unless there was a proven error, it did not exist. There is no justification for such a presumption.

Other evidence, including user evidence, prior to 1975

User evidence

28. The remaining evidence supporting confirmation of the Order covering the period before 1975 is evidence of use, provided partly in completed user evidence forms, some accompanied by letters and statements, and partly in oral evidence given to the inquiry, and opposing confirmation of the Order a statutory declaration made by Mr V Williams, who built the house at 64 Romilly Park Road, supplemented by oral evidence given at the inquiry by his son. There are also copies of conveyances of land to Mr V Williams.
29. Mrs Gallimore, in her closing submissions, noted that ‘memory is a frail thing’, mentioning a judgment of which she could not recall the full citation, but which I am confident is *Gestmin SGPS S.A. v Credit Suisse [2013] EWCA 3560 (Comm)*. I have taken into account the comments of Leggatt J on ‘Evidence based on recollection’ in his judgment in that case.
30. When the application for a modification order was made in 2010 around 50 user evidence forms were provided by the applicants. These had been completed by people who stated that they had used the Order route, this use dating back, in some instances, to the 1940s. One objector argued that this user evidence was ‘toxic’ and should have been vetted before the Council relied on it in deciding to make the Order. It is not clear what he meant by ‘toxic’, but he gave one example where what was stated in a completed user evidence form did not match what was written in a statement provided by the same person.
31. The value of this unvetted and untested user evidence, it seems to me, is that it is broadly consistent with, and supports, the documentary evidence considered above. Thirty-one of those completing forms stated that they had used the Order route before 1975. It seems to me that, in the absence of any evidence or suggestion of an orchestrated campaign of lying, it is safe to conclude that a good many members of the public had been in the habit of using the Order route as a through pedestrian route for very many years.
32. Six people gave oral evidence of their use of the Order route before 1975 at the inquiry. This evidence was subject to cross-examination, and may, therefore, be given greater weight, subject to the possibility that memories of what occurred more than 40 years ago, however vividly recollected, may not always be accurate.
33. One witness had moved to her house on Porth-y-Castell in 1961. She stated that between then and 1974 she had used the path regularly when taking her dog for a walk. After her son was born in 1974 she took him to Romilly Park via the Order route in a pram, three or four times a week. She saw others using it, mentioning in particular people with dogs. The next witness stated briefly that in the 1960s and

early 1970s he had used the Order route to get to school. It was in frequent use at the time.

34. Another witness stated that although she had used the Order route between 1950 and 2010, she used it regularly only after 1968, when she took her child along it in a push-chair several times a week. She said that 'everybody' used it. She lived adjacent to footpath 72e in Dingle Close (shown on the plan below).
35. The next witness lived in Romilly Park Road close to the south-eastern end of the Order route. Her completed user evidence form stated that she had used the Order route since 1968 when her house was built. In oral evidence she stated that in the early days she used it at weekends and on summer evenings. She would see Mr V Williams, who was then engaged on building no. 64 Romilly Park Road (but did not until 1975 own the land over which the Order route runs). She was never challenged or told that she should not be using the route.
36. The next witness stated that she had used the Order route since 1956. She had used it very often with dogs. She used it with friends and saw other people using it. Her brother used it between 1966 and 1969 to get to Romilly Park where he played football. The final witness (who had not completed a user evidence form) stated that he had used the Order route from about 1965 until he went to university in 1972. He would use it with a dog which he took for walks. He recalled that the path was getting a bit overgrown by 1972 but that it was still definitely used.
37. All of these witnesses were cross-examined by Mrs Gallimore and another objector, Mr P Walden. Mr Walden expressed incredulity that people with push-chairs or prams could have used the Order route because of its steepness (it has a gradient of about 1 in 8 between B and C and did not appear to me, when I visited the site, to be excessively steep), but cross-examination did not succeed in casting doubt on the evidence of any of these witnesses.

Mr Williams' evidence

38. The land on which 64 Romilly Park Road was built was bought in 3 stages by the late Mr V Williams. In 1965 he bought a strip of land adjacent to and to the south-west of B-C from the Trust. One of the conditions of sale was to *keep the vendor and its lessees indemnified against any liability for street works or private improvements in respect of the roads lanes or footpaths abutting the said property and in particular any liability in respect of works or improvements in respect of the whole of the pathway of some ten feet in width lying between the property known as 'Akropolis' Romilly Park Barry aforesaid and the said property and lying on the eastern side of the said property.*
39. In 1966 Mr Williams bought a strip of land from the British Railways Board adjacent to and to the south-west of the first strip, and in 1975 he bought, from the Trust, the third strip, which included the land over which B-C runs. Listed under *Exceptions and Reservations*, and added to the standard clauses, was the following: *and in particular any public or private rights of way over the footpath on the said land.*
40. This evidence makes it quite clear that Mr Williams should have been aware of the presence of a path on the line of the Order route and that there was a possibility that it carried public rights.
41. Mr Williams made a statutory declaration in 2010. Its contents contradict other documentary and user evidence. After stating that he was born in 1925 and grew up

in Barry Garden Suburb Mr Williams wrote that there was no public right of way over what was his land, and that from his childhood onwards, no-one in the community used No. 64 [i.e. the Order route] as a way of getting from the Garden Suburb through to Romilly Park. The ground was steep and there was no pathway. After he bought the property in 1966 he told anyone trying to use the Order route that it was private property.

42. It is not credible, in my view, that contemporaneous minutes of the Society would describe the existence and use of the Order route if it had simply not happened. The Ordnance Survey would not have depicted the route as a footpath if there was no evidence at the time of survey that it was used as such. I cannot give the evidence of Mr Williams as it relates to the period before 1975 any significant weight.

Conclusions from the evidence

43. The documentary evidence and the user evidence are mutually supportive and only contradicted by Mr Williams' claims. I conclude that they show that public rights on foot were dedicated and accepted by 1975. I do not therefore need to consider the statutory test (paragraph 8 above).

Other matters

Mrs Gallimore's submissions

44. Mrs Gallimore made a number of submissions relating to what she called 'the validity of the Order.'
45. The first concerned the subsection of section 53 of the 1981 Act cited by the Order. I agree with her that it cited, incorrectly, 53(2)(a). The 'discovery' of evidence to which it refers happened after the commencement of the 1981 Act and therefore 53(2)(b) should have been cited. If I confirm the Order, I shall modify it accordingly.
46. Mrs Gallimore submitted that: *If the inspector finds having regard to R v Environment Secretary, ex parte Hood [1975] that there is no evidence of any irregularity in the prescribed process of recording routes at the Draft, Provisional and Definitive stages during the 1949 Act procedures and is minded instead to accept the OMA's alternative arguments for statutory or common law dedication then this would require the event being modified to section 53(3)(b) [from the cited 53(3)(c)(i)].* She argued that an Inspector would not have power to make such a modification. I do not accept that there is any merit in this submission. On whatever basis I decide to determine the Order, section 53(3)(c)(i) would be an appropriate subsection to cite.
47. Mrs Gallimore submitted that since the applicants for the Order did not argue for an inference of dedication at common law I could not consider common law dedication. This submission, in my view, is without foundation.
48. Mrs Gallimore submitted that the failure by the Council to consult with Barry Town Council in accordance with paragraph 1 of Schedule 15 of the 1981 Act was an 'error of substance that renders the Order invalid.' The Order states that the necessary consultation was carried out. It appears that the basis for Mrs Gallimore's argument is that while the application for the Order was based on user evidence in the years preceding 2010, the decision by the Council to make the Order was based on historical documentary evidence and that therefore the Town Council should have been consulted further. If that is so, then, in my view, Mrs Gallimore's submission is misconceived. The basis for confirmation of a disputed order can never be completely

certain before it is actually confirmed. It cannot be necessary for an order making authority to consult again simply because its case for confirmation is not identical to that of the applicants.

49. In preparation for the inquiry the Council produced a number of map overlays. The Order route was shown superimposed on OS plans from 1879 onwards. On the later plans there are some discrepancies. For example the Order route superimposed on the 1936 plan shows A-B within the rear gardens of properties on Porth-y-Castell, while the same exercise carried out on the 1954 plan shows the route along the centre of the lane between A and B. I do not consider it likely, as Mrs Gallimore seemed to believe, that the Order route changed position between 1936 and 1954, or that boundaries had been altered. It is more likely, in my view, that the apparent discrepancy resulted from changes in surveying techniques used by the OS.
50. Mrs Gallimore submitted that the Order route did not reach a public highway at its south-eastern end and so the Order could not be confirmed. The current owner of 64 Romilly Park Road had provided evidence, she stated, that the land immediately adjacent to his frontage was not adopted highway.
51. Highway authorities are obliged to keep records of adopted public highways, known as 'lists of streets' (section 36(6) of the 1980 Act). The list, in the case of the Council, comprises a series of large-scale OS plans on which the extent of such highways is shown by a pink overlay. Point C is on land, or is immediately adjacent to land, which is shown pink on the Council's records. I am satisfied that there is no better or more accurate record of the extent of public highways, and I therefore reject this submission by Mrs Gallimore.

Other matters raised by Mrs Gallimore

52. Mrs Gallimore asked, at the start of the inquiry, for a ruling on who applied for the Order under consideration at the inquiry. I replied, briefly, that it was quite clear that a Mr and Mrs Harvey had applied for an order in 2010, and that this had triggered the Council's duty, under Schedule 14 to the 1981 Act, to investigate the matters in the application. The Order before the inquiry had, eventually, resulted. Mrs Gallimore had argued previously that the Council was, effectively, the applicant. It seems to me, however, that despite Mrs Gallimore's convoluted and lengthy arguments on this matter, my determination as to whether or not public rights exist on the Order route does not depend on the identity of the applicant (see also paragraph 47 above).

Conclusion

53. Having regard to these and all other matters raised both at the inquiry and in the written representations I conclude that the Order should be confirmed with modifications.

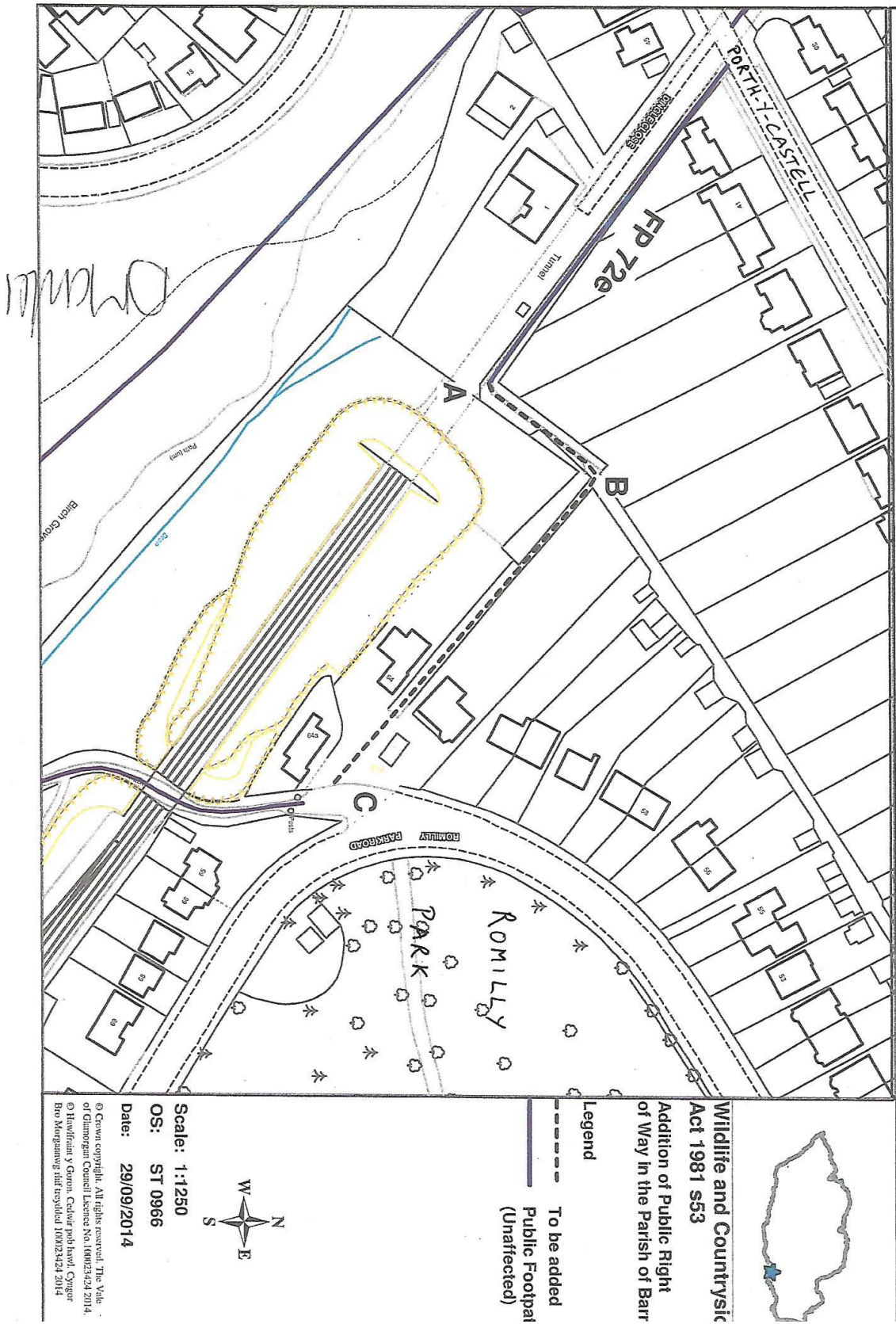
Formal Decision

54. I confirm the Order with the following modifications.

- In the title of the Order and in the preamble to the Order, delete '14th September 1954' and insert in its place '15th March 2016'.
- In the preamble to the Order, delete '53(2)(a)' and insert in its place '53(2)(b)'.

Peter Millman **INSPECTOR**

Addition of Public Footpath 72f, Barry



APPEARANCES

For the Order Making Authority:

Mr N Farthing of Birketts Solicitor instructed by the Vale of Glamorgan Council

He called:

Mr G Teague Public Rights of Way Officer

Mrs D Thomas Local resident

Mrs P Goodwin Local resident

Mrs C Helmore Local resident

Supporters:

Mr M Roberts Local resident

Mrs E Roberts Local resident

Mrs D Baker Local resident

Mr S Humphries Local resident

Mr N Vick Local resident

Objectors:

Mr P Walden Affected landowner

Mrs K Gallimore

Mr A Williams Local resident

Mr G Evans Local resident

DOCUMENTS HANDED IN AT INQUIRY

1. Mrs Gallimore's request for a ruling
2. Mrs Gallimore's additional bundle of documents
3. Mrs Gallimore's addendum to her statement of case
4. Mrs Gallimore's submission on the validity of the Order
5. Streetview photograph of Romilly Park Road
6. Mrs Roberts' statement
7. Bundle of deeds from 1941
8. Mr Farthing's closing statement with addendum