



Order Decision

Inquiry opened on 6 November 2018

by Mark Yates BA(Hons) MIPROW

an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs

Decision date: 04 February 2019

Order Ref: ROW/3181878

- This Order is made under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the 1981 Act") and is known as The Hampshire (Test Valley Borough No. 63) (Parish of East Dean) Definitive Map Modification Order 2017.
- The Order was made by Hampshire County Council ("the Council") on 3 May 2017 and proposes to modify the definitive map and statement by the addition of six footpaths and one restricted byway in the parish of East Dean, as detailed in the Order Map and Schedule.
- There were three objections outstanding to the Order at the commencement of the inquiry.

Summary of Decision: The Order is proposed for confirmation (in connection with East Dean Restricted Byway 501) subject to modifications set out below in the Formal Decision.

Procedural Matters

1. I held a public inquiry into the Order on 6-8 November 2018 at Farley Village Hall and I undertook an accompanied visit to the site prior to resuming on the final day of the inquiry.
2. Two applications for an award of costs were made at the inquiry and these will be the subject of separate decisions.
3. It is apparent that particular landowners¹¹ did not receive notification of the making of the Order. None of the affected parties allege that they were prejudiced by this issue. Nor do they seek any remedy regarding this matter. I also note that the Council obtained a dispensation under paragraph 3(4) of Schedule 15 to the 1981 Act to place notices on site addressed to the owner or occupier of the land. In the circumstances, I am satisfied that there is no need for me to take any action on this matter.
4. All of the points referred to below correspond to those delineated on the Order Map. The claimed routes ("CRs") of the rights of way are as follows:
 - CR1 is located between points D-E-X and is recorded in the Order as East Dean Restricted Byway 501.
 - CR2 is located between points A-B-C and is recorded in the Order as East Dean Footpath 502.
 - CR3 is located between points E-P and is recorded in the Order as East Dean Footpath 503.
 - CR4 is located between points J-K and is recorded in the Order as East Dean Footpath 504.

¹¹ Mr Parry and Wing Commander Bell and Mrs Bell

- CR5 is located between points M-K-(F)-P-L-H and is recorded in the Order as East Dean Footpath 505.
- CR6 is located between points B-L and is recorded in the Order as East Dean Footpath 506.
- CR7 is located between points N-(R)-O and is recorded in the Order as East Dean Footpath 507.

Main Issues

5. The Order is made under Section 53(2)(b) of the 1981 Act and relies on the occurrence of events specified in Section 53(3)(c)(i) of the Act. Therefore, I need to determine in each case whether the discovered evidence shows that a right of way which is not shown in the map and statement subsists. The test to be applied is the balance of probabilities.
6. The case in support relies upon various historical maps and documents rather than evidence of recent public use. In considering the above test, I shall assess whether the documentary evidence is sufficient to infer the dedication of public rights of way of a particular status at some point in the past. Section 32 of the Highways Act 1980 requires a court or tribunal to take into consideration any map, plan or history of the locality, or other relevant document which is tendered in evidence, giving it such weight as appropriate, before determining whether or not a way has been dedicated as a highway.
7. In terms of CR1, none of the exemptions in Section 67(2) or (3) of the Natural Environment and Rural Communities Act 2006 are stated to be applicable and therefore any public right of way for mechanically propelled vehicles is extinguished. This means that if public vehicular rights are shown to subsist over the route it should be recorded as a restricted byway.
8. I also need to consider whether any public rights have been stopped up using powers contained in the Defence Acts of 1842 or 1860.

Reasons

The early maps

9. The small scale of these maps means that they are only relied upon in relation to CR1. Features such as footpaths are less likely to be shown. Milne's map of 1791 shows a short section of the route from point D leading to land annotated as "*Open Fields*". A short stub is shown at around point D on a canal plan of 1793. The 1811 Ordnance Survey ("OS") map depicts a variety of routes over the land where the CRs are located. Reference is made by the Council to a route that broadly corresponds to points D-E-P-L. A route between these points is also shown on the 1826 Greenwood map.
10. Clearly, the early maps reveal that particular sections physically existed when the maps were produced. This issue principally relates to CR1. However, the maps are silent on the issue of the status of this route. Therefore, its representation on these maps will not carry a significant degree of evidential weight.

The enclosure and tithe documents

11. There is evidence relating to a proposed agreement for the enclosure of land in East Dean. However, there is no surviving documentation to show what was

awarded at that time. Reference is made by the Council to the later tithe documents showing that the land had been enclosed and that a track existed between points D-E. This evidence provides support for the existence of a section of the route following the enclosure of the land but it does not indicate whether CR1 was considered to have public or private status.

Railway documents

12. The 1836 plan for the proposed Salisbury, Romsey and Southampton Railway records three routes leading out of the road through East Dean, including parts of CRs 1 and 2. These are depicted as open ended, which suggests they continued beyond the limits of the railway plan. All of these routes would have crossed the proposed line of the railway to the south of the road through East Dean. The section of CR1 is recorded in the accompanying book of reference as a parish road. In contrast, the other two routes are described as occupation roads.
13. An 1843 plan for the Bishopstoke to Salisbury Railway again shows that the railway was proposed to run to the south of the road. A short section of CR2 is depicted as far as the railway. In contrast, the two other routes shown on the 1836 plan are represented crossing the proposed railway line. The section of CR1 is recorded as a road in the ownership of the surveyors of highways and occupied by the public. The other routes are stated to be occupation roads.
14. The 1844 plan for the Salisbury Branch Railway shows the proposed railway running to the north of the road. Whilst the routes included on the earlier railway plans are shown, they did not impact on the railway and no information is recorded regarding their status. Mr Hajnus of Network Rail Infrastructure Limited ("NRIL") says that the railway opened in 1847 and it had been authorised by the Salisbury Branch Railway Act of 1844.
15. A further railway plan, stated to have been produced in 1856 and relate to the Southampton, Bristol and South Wales Railway, shows the railway on the northerly route. This means that there is a lack of information regarding the routes addressed above. Mr Hajnus is unsure about the purpose of the 1856 plan but he says it shows the railway in situ. The Council draws attention to entries in the book of reference to a public footpath and footpath within plots 33 and 34 in support of CR7 being a public footpath. However, the route of the footpath and the public footpath are not shown on the deposited railway plan.
16. It is apparent that there was a change from the original proposals to the alignment of the railway that was built in this locality. Nonetheless, the earlier railway plans are supportive of CR1 being viewed as a public road and this should carry some weight even though the railway did not ultimately impact on this route. The references to other routes as occupation roads are indicative of the existence of private roads. There is no suggestion that any 'lesser' public rights were acknowledged to exist over these sections. In terms of the references for plots 33 and 34 in the 1856 book of reference, it is not possible to conclude that the path or paths in question corresponded to CR7 and there is no contemporaneous mapping which shows this route. Nor is there any reference to a footpath in this locality in the 1844 railway book of reference.

Large scale OS maps

17. The OS maps provided record a variety of routes. In summary, the 1876 First Edition map depicts CR1 and there is a chalk pit located to the south of the route near point X. There are also paths, or sections of path, shown in the locality of CRs 4, 5 and 6. CRs 3, 4 and 7 do not appear to be depicted on the Second Edition map of 1895, but the other routes are generally shown. All of the CRs are shown on the Third Edition map of 1908. Although the Fourth Edition OS map of 1924 only shows land generally to the west of point M, the relevant CRs are shown. The annotation "FP" is marked on the Second Edition map onwards for sections of the CRs.
18. The annotation "FP" appears on large scale OS maps from 1883 and arose from an instruction to surveyors which stated *'the object of... "F.P. being that the public may not mistake them for roads traversable by horses or wheeled traffic"*. From 1888 OS maps have carried a disclaimer to the effect that the representation of a track or way on the map was not evidence of the existence of a public right of way. Whilst there is some conflicting guidance from the OS during the latter part of the nineteenth century and early part of the twentieth century, the depiction of a path on the large scale OS maps is not indicative of public status. The value of OS maps is that they can usually be taken to provide a reliable indication of the physical features present on the date of the survey and may support other pieces of documentary evidence.

Handover map

19. CR1 is shown on the handover map and recorded as one of the *"Public Highways (Carriageways), Repairable by District Councils"*. CRs 3, 4 and 5, along with the majority of CR2, are recorded under the general headings *"Public Footpaths, Repairable by District Council"* and *"not repaired"*. The map key indicates that the district council had not undertaken maintenance on these routes.
20. The handover map was produced following the Local Government Act 1929. This Act provided for the transfer of maintenance responsibility for highways from the rural district councils to the county councils. The map is conclusive evidence of the highway authority's acceptance of its maintenance responsibility. In this respect, it is supportive of CR1 being a highway. However, the handover map is not a definitive record of the highway rights in connection with the ways shown and it needs to be considered in conjunction with the remainder of the evidence. It should also be borne in mind that this document was not open to public consultation.
21. In terms of the other CRs shown, the handover map does not suggest that they were maintained by the highway authority. It nonetheless indicates that the footpaths shown were viewed by the highway authority as having public status.

Estate and conveyance plans

22. These plans are stated to have been derived from OS base mapping. As such they record information shown on the OS maps. In the absence of additional information regarding the status of the paths or tracks shown on the estate and conveyancing maps, they will be of limited value.

Rights of way map

23. A tracing² has been provided of a map believed to have been originally annotated by East Dean Parish Meeting in 1936 following on from the Rights of Way Act 1932 ("the 1932 Act"). The purpose of such a map was to show the public rights of way alleged to exist in the parish. It shows that CRs 2, 3, 5, 6 and 7³ were viewed by the parish meeting as footpaths in 1936. Bearing in mind the purpose of this map, I would not expect to see public roads marked on it. In this respect, I see no conflict with the handover map in relation to CR1⁴. However, clearly there is a lack of consistency between the two documents regarding particular routes. I do not necessarily consider that either map should carry much greater weight than the other. The rights of way map shows the routes that were considered locally to be public footpaths. However, there will be some concern regarding this map given that it is a tracing and additional annotation was added to it later (see paragraph 35 below).

Local authority minutes of 1937

24. A minute from a meeting of Romsey and Stockbridge Rural District Council records that a complaint had been made regarding the alleged encroachment of a public footpath running from the main road in East Dean, between properties owned by Mr Coombs and Mr Southwell, and over the railway line to the Downs. The subsequent minutes record the action taken to resolve the matter. From an examination of the map evidence, I concur with the Council that the most likely candidate for this footpath is CR7.

Statements

25. Written statements have been provided from people who recall the past use of routes in the locality of the CRs. The Council also draws attention to the potential use of CR5 by pupils attending the former East Dean School⁵. The Council do not rely on this evidence to demonstrate that the CRs were dedicated as public rights of way. Further, these statements are supportive of access being prevented when the Royal Navy Ammunitions Depot ("RNAD") was built at East Dean.

Conclusions from the above documentary evidence

26. I find the evidence in relation to CR1 to be supportive of it being a historical vehicular highway. The evidence for the other routes is variable and it is more indicative of public status in respect of CRs 2, 3 and 5. There is a conflict between the handover map and the rights of way map for the other routes. This is of concern given the limited amount of documentary evidence in support. However, I have found that the 1937 minutes provide some potential additional support for CR7 being viewed at the time as a public footpath.
27. Before reaching a decision on the status of the CRs I shall address the issue of whether any public rights have been stopped up.

² Traced by an officer within Romsey and Stockbridge Rural District Council

³ The red line for CR7 is not shown over the railway line

⁴ A footpath is shown parallel to a section of this route

⁵ It was open between 1854 and 1922

The implications of the Defence Acts

28. The issue to be determined from the evidence is whether CRs 2-7 were permanently extinguished under Section 16 of the Defence Act 1842 ("the 1842 Act"). I address CR1 in paragraphs 43-45 below in relation to Section 40 of the Defence Act 1860 ("the 1860 Act").
29. Section 16 of the 1842 Act states "*It shall be lawful for the principal officers of Her Majesty's ordnance for the time being... to stop up or divert any public or private footpaths or bridle-roads, and to treat and agree with the owner or owners of such lands, buildings, hereditaments, or easements, or with any person or persons interested therein, either for the absolute purchase thereof, or for the possession or use thereof during such time as the exigence of the public service shall require*".
30. Further, Section 17 of the Act states: "*that whenever any footpath or bridle-road shall be stopped up as aforesaid, another path or road shall be provided and made in lieu thereof respectively, at the expense of the ordnance department, and at such convenient distance therefrom as to the principal officers of Her Majesty's Ordnance for the time being shall deem proper and necessary*".
31. A proposal for a RNAD to be sited at East Dean was put forward in May 1938 and this was later approved. On 8 February 1939 a letter was sent on behalf of the Civil Engineer in Chief ("CEC") of the Lands Branch within the Government to Mr Tanner of Romsey and Stockbridge Rural District Council regarding the East Dean site. It is stated that the works on the proposed railway connection at the eastern end of the site would commence within two months and clarification was sought on which paths were public footpaths. Mr Tanner responded on 17 February 1939 and drew attention to a road repairable at public expense, which I take to be CR1, and those footpaths marked on the rights of way map compiled under the 1932 Act.
32. Treasury warrants were issued in February 1939 for the compulsory purchase of the land. A letter from the CEC to East Dean Parish Meeting of 26 April 1939 outlined that it was proposed to provide an alternative for the footpaths leading from the main road in East Dean to the south side of the site, which were to be stopped up by the Admiralty scheme. A further letter of 22 May 1939 notes the approval of the parish meeting to the closure of the existing public footpaths across the site and the provision of an alternative route.
33. The information provided by Mr Carr⁶ reveals that the RNAD site was acquired by reference to various conveyances. The Admiralty purchased the site in fee simple and it was operational between 1941 and 2004. It cannot be determined that the references to compliance with Section 16 of the 1842 Act in the conveyances encompassed the stopping up of public rights of way. They could have related only to the acquisition of the land.
34. A number of plans have been supplied in relation to the process undertaken to compile the original definitive map under the National Parks and Access to the Countryside Act 1949. I find there to be some uncertainty regarding the provenance of particular plans. Nonetheless, it is apparent that none of the CRs were originally claimed by East Dean Parish Meeting to be public rights of way in the early 1950s. The parish meeting noted that the paths marked

⁶ The expert witness called on behalf of one of the objectors (Harving Ltd)

- "cancelled" on a map provided were not available as they had been closed by the Admiralty. It was also noted that the proposed alternative was not accessible due to the intervening private land and Footpath 5⁷ provided access.
35. Annotations made to the 1932 Act map show the majority of the CRs by way of red crossing, which the key states equates to "*Footpaths Closed*". Section L-H of CR5 and CR7 are not shown closed. Nor is CR4 depicted on this map. It is apparent that a red line shown between points E-X-(F) is adjacent to a section of CR1 rather than over it. A letter of 26 January 1953 from the County Surveyor to the CEC states that there is no Order available and it was proposed to include the paths over the site on the definitive map. There is some later correspondence that points to a meeting being held to discuss matters. The decision of the Council was not to include any of the CRs on the draft definitive map. It is also apparent that no objection was made to the exclusion of the routes.
36. There is no requirement for an Order to be made or a particular process to be undertaken when using Section 16 powers. The question of whether the CRs were permanently stopped up needs to be determined from the available evidence. It was clearly intended that the footpaths across the site would be extinguished and the land was occupied by the Admiralty prior to the outbreak of World War II⁸. The most likely means of securing the stopping up of the footpaths at that stage would have been by use of Section 16 powers. The emergency war powers did not take effect until 23 August 1939⁹. Further, the Council's witness (Ms Seeliger) does not assert that the routes were closed using the emergency powers. Her view is that there was an informal agreement between the Admiralty and the parish meeting to temporarily close the paths.
37. I take the 1939 correspondence between the Admiralty and the parish meeting to be a consultation on the proposed stopping up of footpaths across the site. I concur with Mr Carr that the words "*stopping up*" and "*closure*" are interchangeable and both appear within the documents provided. At no point is the prefix "*temporary*" used to indicate that the public rights had not been permanently extinguished. Nor is it apparent what powers could be used to implement an informal closure of the routes.
38. A plan attached to the letter of 26 April 1939 from the CEC shows the proposed alternative route leading out of the main road through East Dean in the locality of the present Footpath No. 9. Reference is made to the differences between the original proposed alternative route and the recorded alignment of Footpath 9. There are also differences between the routes depicted in this locality on the maps produced during the definitive map process.
39. The change in the route may reflect the presence of particular physical features on site. In terms of the Council's view that Footpath 9 was dedicated following use by the public, there is a lack of evidence to support this proposition. As Mr Carr says this is unlikely to have occurred given that the path crossed part of the RNAD site. It is not suggested that Footpath 9 existed prior to the establishment of the site.

⁷ Located on an alignment near to the present Footpath No. 9

⁸ War was declared on 3 September 1939

⁹ Defence (General) Regulations 1939

40. I take Footpath 9 to be a route that was available to the public at some stage after the development of the RNAD site. It cannot be determined when it came into existence but it was added to the definitive map. This route is different from the alternative proposed in 1939. As outlined in the case of *R (oao the Ramblers Association) v Secretary of State for Defence [2007]* an alternative route has to be provided to enable a stopping up to be implemented under Section 16.
41. The parties have conflicting views regarding whether Section 17 requires an alternative highway to be provided for each path that is stopped up. It is accepted that there would have been practical difficulties in providing multiple paths given the nature of the site. Ms Seeliger also conceded in cross-examination that the proposed alternative route, in conjunction with existing highways, would provide a substitute for different CRs. I take the view that the provision of an alternative route, as proposed, could meet the requirement of Section 17. The same would apply to Footpath 9.
42. The evidence is broadly supportive of the footpaths across the RNAD site being stopped up. There are doubts regarding whether the original proposed alternative route was created in its entirety. Further, it is not certain that Footpath 9 was specifically provided as a replacement path. It cannot be said that Section 17 was, or was not, complied with at the time. However, the parish meeting accepted that the footpaths had been closed and the Council, as the surveying authority, was alive to the issue in the 1950s. A view was taken that none of the CRs shown on the 1936 rights of way map should be added to the original definitive map. This indicates that the County Surveyor was satisfied that any public rights over them had been stopped up. It seems to me that, in the absence of evidence to show that the decision taken by the Council was in error, I should find on balance that the claimed footpaths were stopped up.
43. Turning to CR1, Sections 16 and 17 were only applicable to footpaths or bridleways. There was no provision in the 1842 Act to stop up vehicular highways. Mr Carr draws attention to the powers in Section 40 of the 1860 Act, which he believes would have been used to stop up the vehicular rights in relation to CR1.
44. Section 40 of the 1860 Act states "*It shall be lawful for the said Secretary of State, without any writ being issued or other legal proceeding being adopted, to stop up or divert or alter the level of any highway, way, sewer, drain, or pipe over, through, under, or adjoining any lands comprised in any such declaration as aforesaid; he, if necessary, previously making, opening, or laying down another good and sufficient way, sewer, drain, or pipe, in lieu of that stopped up or diverted*".
45. It is apparent that there is no need for a formal legal process or an Order to be made when using Section 40 powers. Nor is there is a requirement to provide an alternative route. The Admiralty would clearly have not wished there to be a public carriageway through the site. However, there is no evidence to suggest that the route was legally stopped up by the use of Section 40 powers or any other powers. This is in contrast to the evidence that is available in connection with the stopping up of the footpaths. On this issue, I have noted the depiction of a footpath adjacent to a section of CR1 on the rights of way map. In the circumstances, I do not consider that the '*presumption of*

regularity' principal mentioned by Mr Carr can make good the absence of evidence to indicate that the route was stopped up.

Whether the CRs subsist on the balance of probabilities

46. CRs 2, 3, 5, 6 and 7 are shown as footpaths on the map compiled under the 1932 Act and this was passed to the Admiralty in 1939. The amount of documentary evidence in support of these routes being public footpaths is fairly limited. Nonetheless, I find on balance that the alleged public rights on foot were stopped up over these routes. The same would apply to the footpath shown between points E-X-(F).
47. There must be some doubt regarding whether CR4 was stopped up bearing in mind that it was not shown on the rights of way map. However, the documentary evidence would not in my view be sufficient to show that a public footpath subsists on the balance of probabilities over this route.
48. I find the evidence in relation to CR1 to be supportive of it being a historical vehicular highway. Further, I have concluded above that there is no evidence to indicate that this route was stopped up. It follows that I conclude that a vehicular highway subsists on the balance of probabilities. This means that I should propose to modify the Order to record only this route. I recognise that for some people this will lead to the unsatisfactory situation of a restricted byway that no longer leads to a place of public resort. However, there are alternative powers available to deal with such anomalies.
49. In light of the above, there is no need for me to address at length the issues of statutory incompatibility and criminality that have been raised in respect of CR7. Although for completeness, I briefly address these matters below.

Statutory incompatibility

50. The Council accepted at the inquiry that the Order should not be confirmed in relation to the part of CR7 that crosses the railway line¹⁰. This is stated to be based on a forward looking assessment of statutory incompatibility in line with the judgment in the case of *Ramblers Association v Secretary of State for Environment, Food and Rural Affairs and others 2017* ("*Ramblers*"). The evidence of Mr Greenwood of NRIL is that the dedication of a public right of way in this locality would be incompatible with the safe and efficient running of the railway. It is also stated to be inconsistent with the regulatory framework under which NRIL operates and the licence granted to operate the railway. Further written evidence has been submitted by Ms Ingram on the issue of safety.
51. I see no reason to disagree with the parties on this issue. Nonetheless, it should be borne in mind that the *Ramblers* case involved evidence of relatively recent public user rather than historical documentary evidence. It appears to me that statutory incompatibility would not be relevant where the route had been dedicated prior to the existence of the railway. However, I find there to be a lack of documentary evidence to show that this is the case with CR7.

Criminality

52. It is not evident from the *Ramblers* case that the issue of criminality has to be considered at the point when the Order is determined. In this case, any user

¹⁰ An agreement was signed by the Council and NRIL regarding this matter during the course of the inquiry.

ceased when the RNAD site was developed. It therefore seems to me that the issue of criminality needs to be considered in the context of the period when any use is alleged to have occurred. In respect of any historical use, NRIL refers to the Railway Regulation Act 1840 ("the 1840 Act") and the Regulation of Railways Act 1868 ("the 1868 Act").

53. Section 16 of the 1840 Act specifies that it is a criminal offence to wilfully trespass on any railway and refuse to quit when asked by an officer or agent of the railway company. Further, Section 23 of the 1868 Act¹¹ states that a person commits a criminal offence if, aside from an authorized crossing, a person passes upon any railway after received a warning. NRIL considers that signage served as a warning for the purpose of the legislation and Mr Greenwood draws attention to examples of historical railway signs. He says that signs are put at points such as stations and level crossings.
54. There may well be an assumption that people seen crossing the railway line would have been challenged by railway staff and that appropriate warning signs were erected at strategic locations. However, it is not possible to reach a firm conclusion on the issue of criminality given the period under consideration and the lack of evidence regarding the user and what occurred at the time. Nor do I need to do so bearing in mind my earlier conclusions regarding CR7.

Overall Conclusion

55. Having regard to these and all other matters raised at the inquiry and in the written representations I conclude that the Order should be confirmed only in relation to the recording of CR1 as a restricted byway.

Formal Decision

56. I propose to confirm the Order subject to the following modifications:
- Delete from Parts 1 and II of the Order Schedule the descriptions for CRs 2, 3, 4, 5, 6 and 7.
 - Remove CRs 2, 3, 4, 5, 6 and 7 from the Order Map and amend the map key accordingly.
57. Since the confirmed Order would not show ways shown in the Order as submitted I am required by virtue of Paragraph 8(2) of Schedule 15 to the 1981 Act to give notice of the proposal to modify the Order and to give an opportunity for objections and representations to be made to the proposed modifications. A letter will be sent to interested persons about the advertisement procedure.

Mark Yates

Inspector

¹¹ As amended by the Regulations of Railways Act 1871

APPEARANCES

For the Council:

Mr G. Grant Counsel instructed by the Council

He called:

Ms S. Seeliger Senior Definitive Map Review Officer

Objectors:

Ms N. Lieven QC Counsel appearing for Harving Ltd

She called:

Mr R. Carr Consultant

Mr J. Lopez Counsel appearing for NRIL

He called:

Mr D. Hajnus Liability Negotiations Manager
Mr J. Greenwood Head of Liability Negotiation

Mr R. Newton Individual objector
Mr J. Collins Individual objector

DOCUMENTS

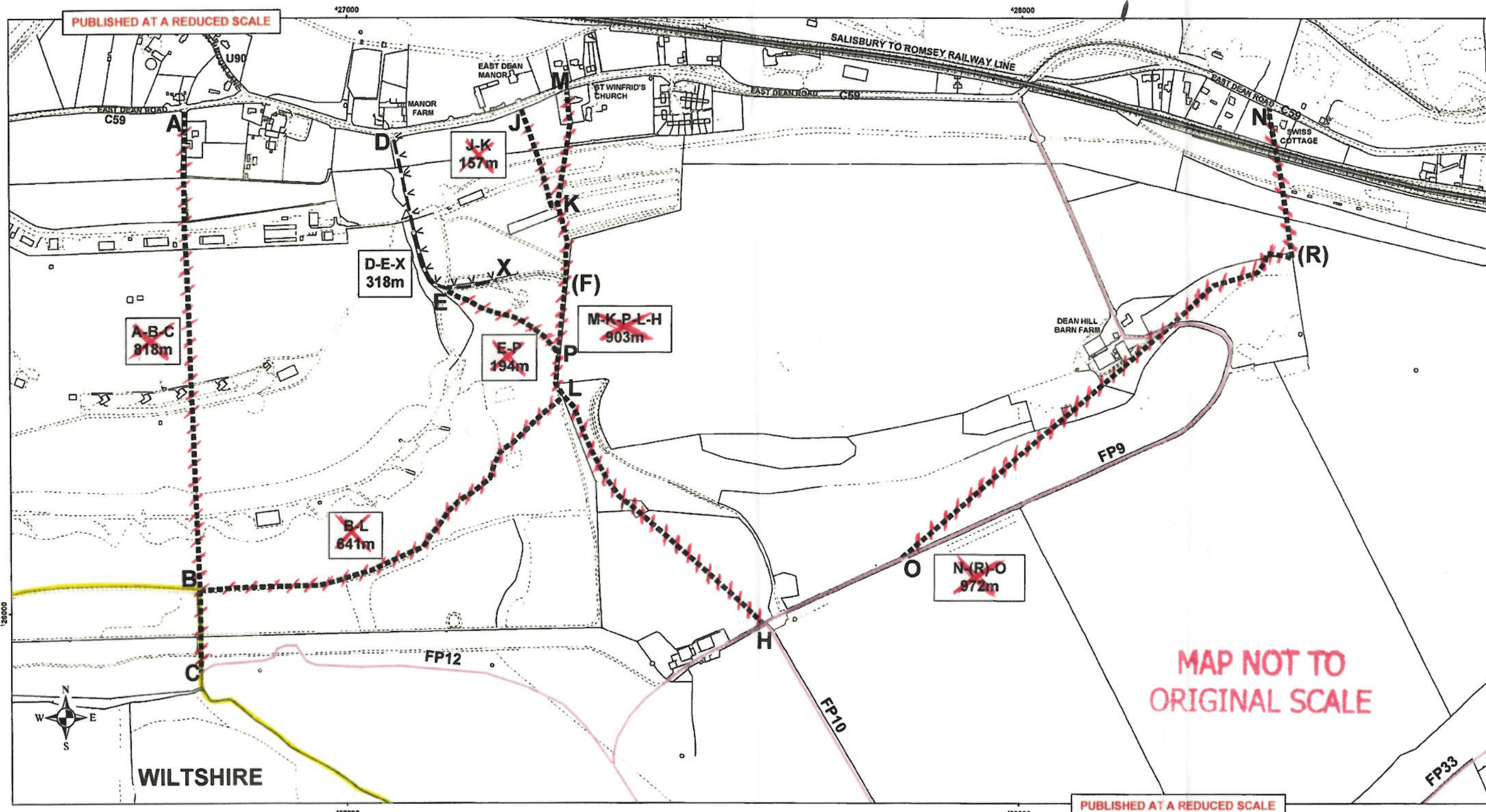
1. Pre-inquiry correspondence between the Council and NRIL
2. Case of Attorney General v Shonleigh Nominees Ltd [1971]
3. Aerial photograph of the site
4. Case of R (oao Mair) v Criminal Injuries Compensation Board [2002]
5. Extracts from Railway Acts
6. Examples of railway signage
7. Case of R (oao the Ramblers Association) v Secretary of State for Defence [2007]
8. Agreement between the Council and NRIL
9. Closing submissions on behalf of NRIL
10. Closing submissions of Harving Ltd
11. Closing submissions on behalf of the Council
12. Costs application for Harving Ltd
13. Costs application on behalf of NRIL

HAMPSHIRE COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

MAP REFERRED TO IN THE HAMPSHIRE

(TEST VALLEY BOROUGH No. 63)(PARISH OF EAST DEAN)
DEFINITIVE MAP MODIFICATION ORDER 2017



SCALE 1:4000

- LEGEND**
- FOOTPATH TO BE ADDED TO THE MAP SHOWN:-
 - RESTRICTED BYWAY TO BE ADDED TO THE MAP SHOWN:-
 - EXISTING FOOTPATH TO BE RETAINED SHOWN:-
 - COUNTY BOUNDARY:-

MAP No.465 PRODUCED FROM DIGITAL DATA
SUPPLIED BY ORDNANCE SURVEY

THE COMMON SEAL OF HAMPSHIRE COUNTY
COUNCIL WAS HEREUNTO AFFIXED IN THE
PRESENCE OF:-

..... AUTHORIZED
SIGNATORY

DATE.....

REPRODUCED FROM THE O.S. MAPPING
WITH THE PERMISSION OF THE
CONTROLLER OF HMSO © CROWN.
UNAUTHORISED REPRODUCTION
INFRINGES © CROWN AND MAY LEAD TO
PROSECUTION OR CIVIL PROCEEDINGS.
HCC LICENCE No.100019180 DATE 02.05.17

KAREN MURRAY,
DIRECTOR OF CULTURE, COMMUNITIES
AND BUSINESS SERVICES, WINCHESTER