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| **Order Decision** |
| Inquiry opened on 14 September 2021 |
| **by Mark Yates BA(Hons) MIPROW** |
| **an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs** |
| **Decision date: 14 February 2022** |

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| **Order Ref:** **ROW/3240213** |
| * This Order is made under Section 53(2)(b) of the Wildlife and Countryside Act 1981 (“the 1981 Act”) and is known as the Surrey County Council Footpath No. 581 (Bramley) and Footpath No. 559 (Busbridge) Definitive Map Modification Order 2018.
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| * The Order was made by Surrey County Council (“the Council”) on 1 November 2018 and proposes to add two footpaths which form one continuous route (“the claimed route”) to the definitive map and statement, as detailed in the Order Map and Schedule.
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| * There was one objection and three representations to the Order outstanding at the commencement of the inquiry.
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| **Summary of Decision:**  **The Order is not confirmed.**  |
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Preliminary Matters

1. In light of arrangements put in place due to the Covid 19 pandemic, the public inquiry into the Order was held as a virtual event on 14-16 September, 16-17 November and 2-3 December 2021 using the Microsoft Teams platform. Additionally, the Council made provision for people to give their evidence by way of a laptop stationed at the Broadwater Park Community Centre, Godalming.
2. I undertook an accompanied visit to the site and surrounding area on 9 September 2021. None of the parties considered that a further visit to the site was required.
3. All of the points referred to below correspond to those delineated on the Order Map.

**Main Issues**

1. The Order relies on the occurrence of an event specified in Section 53(3)(c)(i) of the 1981 Act. Therefore, for me to confirm the Order, I must be satisfied that the discovered evidence shows on the balance of probabilities that a public right of way subsists.
2. The relevant statutory provision for the dedication of a public right of way is found in Section 31 of the Highways Act 1980. This requires consideration of whether there has been use of a way by the public, as of right (without force, secrecy and permission) and without interruption, for a period of twenty years prior to its status being brought into question and, if so, whether there is evidence that any landowner demonstrated a lack of intention during this period to dedicate a public right of way.
3. If statutory dedication is not applicable, I shall consider whether the evidence is supportive of the dedication of a footpath under common law. Dedication at common law requires consideration of three issues: whether the owner of the land in question had the capacity to dedicate a highway, whether there was express or implied dedication by the landowner and whether there was acceptance of the dedication by the public.

**Reasons**

***Background Matters***

1. The claimed route runs between Bramley Footpath No. 165 (point A) and Busbridge Footpath No. 166 (point C). It proceeds for around 1 metre (between points A to B) on land for which there is no known landowner. The remainder of the route crosses land owned by the National Trust (“NT”), which is known as Winkworth Arboretum. For a proportion of its length, the claimed route originally proceeded close to Phillimore Lake. The lake itself was turned into a wetland area in 2004.
2. A number of people have referred to the presence of a stile or gate nearto point B. However, the Council believes this evidence relates to the structures that have existed on Footpath 165 near to the northern end of the claimed route. The Council considers that entry at point B was gained by way of a gap atthe boundary of the NT’s land.
3. Footpath 165 proceeds north-westwards from point A towards Alldens Lane and south-eastwards past Phillimore Cottage to Thorncombe Street. In terms of Footpath 166, this path heads from point C generally westwards to the Brighton Road and passes near to the ticket kiosk for the arboretum and the main car park. This path also continues from point C towards a lake known as Rowe’s Flashe and onwards to Thorncombe Street.
4. It is worth noting that before reaching its decision the Council considered the evidence of use in relation to a connecting route known as the ‘western route’ (also referred to as part of a cart track). This route commences at point B and follows a meandering course through Busbridge Copse before re-joining the claimed route. The Council did not find that the evidence was sufficient to support the western route being added to the definitive map.

***Statutory Dedication***

*When the status of the claimed route was brought into question*

1. Some of the people who have supplied evidence in support of use of the claimed route say that action to prevent access at point B was first taken in around 2000. This comprised of material such as brushwood being placed to close a gap at this point. Further support for this being the case is found in the email from Mr Holmes to the Council of 16 October 2011 where he states that he had raised with Mr Scott (who was at the time the Area Property Manager for the NT) the obstruction of the route in around 2000. The users refer to other measures being taken in 2001 to prevent access following the outbreak of foot and mouth disease and this may have directly followed on from earlier action to secure the boundary.
2. The NT says action to secure the boundary in this locality has been taken since 1988 and reference is made to the erection of Rylock fencing by an adjacent landowner. This fencing is described as running from Phillimore Cottage on the northern side of Footpath 165 as far as a kissing gate and then continuing adjacent to the NT’s boundary. It appears to me that it is quite possible from this description that people could have gained access to the NT’s land near to the kissing gate. The drawings and plans produced by Mr Bowness and Mr Satow for the NT relate to surveys undertaken in 2004 and 2012 respectively, which was well after it is acknowledged that the status of the route was brought into question. However, the details from Mr Bowness’ survey indicate that there was a gap near to the kissing gatewhich had been obstructed by a deadwood barrier and this is also evident from a photograph taken at the time.
3. The NT also rely on the statement of Mr Barrs who was a gardener at the arboretum between 1979 and 2003.His written evidence is that the boundary fencing, including at point B, was well maintained and he could not recall any incidents of the fence being cut. Mr Barrs was unable to attend the inquiry and therefore it was not possible for his evidence to be tested. Mr Scott says that a brushwood barrier which would have prevented access was in place in1998 when he took over responsibility for the site. There is evidence from a few of the users that points to attempts being made to obstruct access during the mid to late 1990s.
4. Mr Scott referred at the inquiry to Mr Barrs placing ‘*No Entry’* signs which were soon torn down. However, there is no other evidence to corroborate the erection of such signs prior to 2000. In terms of the assertions that more could have been done to deter people from using the claimed route, the issue for me to determine is what measures were employed which were sufficient to make the public aware that their use of the route was being brought into question.
5. I accept that some attempts appear to have been made to secure the boundary during the 1990s, as distinct from material just being dumped in the area. However, I find on balance that the evidence weighs more in favour of it being the action taken in 2000 which served to bring the status of the claimed route into question for users of the route. It is apparent that ongoing attempts were made from around this time to secure the boundary to prevent people entering the NT’s land. This conclusion means that there is no need to consider any later action to prevent access and the alleged cutting of the boundary fence after 2000.
6. In light of the above, I find that action taken in 2000 was sufficient to bring the status of the claimed route into question and this is the starting point for the consideration of statutory dedication. The relevant period to be initially considered would therefore be 1980-2000 (“the relevant period”).

*The evidence of use*

1. Over sixtyuser evidence forms (“UEFs”) have been submitted by people in support of use of the claimed route. Some of these users were interviewed by the Council or have submitted a statutory declaration in support of their initial form. There are some additional people who have also provided evidence in relation to use of the route. In particular, seventeen people gave oral evidence at the inquiry in support of use of the claimed route. However, I treat with caution the late written submissions involving revisions or additional comments after the witness had appeared at the inquiry. Where there are significant variations between the written and oral testimonies, I consider that greater reliance should be placed on the evidence given at the inquiry. On the issue of the lack of opportunity to clarify points with former employees of the NT, this issue only means that certain matters relied upon by the NT may not be afforded a significant amount of weight.
2. The claimed route forms part of longer walking routes included in two guides, namely ‘*Walking on Glass – 20 Historic Walks Around Waverly’*of 1983 written by Glyn Evans and David Simmons and a1983 pamphletcalled ‘Twenty *5-Mile Circular Walks in South West Surrey*’ by George Hyde. It would be expected thatthe walking guides incorporated ways people were permitted to use either because they were highways, or the public had some form of permission to use them. Clearly, the claimed route is not presently recorded as a public right of way. Ultimately, the walking guides do not provide evidence of status. However, it is possible that the claimed route was included in the knowledge that people were using it or permitted to use it. The inclusion of the claimed route in the guides could have also served to encourage some people to use the route. This would additionally be the case for organised long distance walking events that made use of the claimed route.
3. The Council discounted a few of the forms on the grounds that the person had not used the claimed route, for instance they had marked the western route on the plan with their UEF. I find that a number of the maps attached to the UEFs do not appear to show the route heading to point B. These plans indicate use of a route that continues alongside the former Phillimore Lake towards a point near to the boathouse. This could be reflective of an error with the route drawn on the maps or indicate use of a slightly different route towards Footpath 165. The small scale of the relevant plans does not assist on this matter. The evidence of the users who spoke of use during the relevant period was generally supportive of use of the claimed route. In terms of the alleged use of an additional entry point slightly to the north-west of point B, there is little evidence in support of the use of a spur leading to this alternative link with Footpath 165.

*Whether the use was as of right*

1. I have read the Inspector’s decision provided at the inquiry, where the issue of whether the use was as of right was raised in relation to another case involving a local authority owned park. However, I have to make my decision on the basis of the evidence and submissions put before me at the inquiry.
2. Action may have been taken on occasions to break through the boundary at point B, but the evidence of the users at the inquiry pointed to people being able to gain entry at this point without the need to use force during the relevant period. I find there to be little merit in the NT’s assertion that force includes use by people over land for which there is a need to pay an admission charge. This point also seems to be at odds with the NT’s viewthat the user was by right.
3. The fact that paying guests could also be in the locality of the claimed route does not mean that other people using the route were doing so in secret. Whilst the NT expressed a reluctance to employ certain methods to identify authorised visitors, it was open to them to try and take some form of action to deter other people from walking within the arboretum, aside from those on the designated public right of way. In the absence of any such measures during the relevant period there would have been no need for people to try and evade being seen whenusing the claimed route.
4. There was no express permission granted to particular people to use the claimed route. Nonetheless, for a person to use a way as of right they have to be a trespasser. If the public are entitled to be on the land this could constitute user ‘*by right’* rather than user ‘*as of right’*. In considering this issue, it may be necessary to distinguish between the periods before and after a charging scheme was implemented for non-NT members to visit the arboretum. It is not entirely clear when charging was first introduced, and the NT suggests it could have been as early as 1990. However, some reliance should be placed on Peter Herrings history of Winkworth Arboretum, which indicates that a charge for non-members was introduced in around 1993.
5. The arboretum has been subject since 11 April 1958 to the NT’s byelaws. The NT says the byelaws have been displayed on site throughout most, if not all, of the period of their ownership. There is no evidence to substantiate that this was the case, but the byelaws are presently displayed on the rear side of the ticket kiosk at the main entrance. The NT points to it being impracticable to display its byelaws at all possible points of entry to its properties. It is certainly the case that no such signage was placed on the claimed route.
6. The NT sought counsel’s advice in 1963 regarding the extent that byelaws needed to be displayed for a prosecution to be possible for anybreach ofthem. The view of counsel at the time was that the failure to publish the bylaws would not invalidate their applicability. It was recommended that they were posted at a location such as a ticket office. This appears to reflect the approach taken in recent years at the arboretum. However, it needs to be borne in mind that this was legal advice obtained on a different point some time ago.
7. There are presently two locations where there are NT signs (referred to as ‘omega signs’) in place. The NT asserts that there were previously three signs in place and the locations of the signs may have varied over time. I noted that the omega sign near to the main entrance, where Footpath 166 meets the Brighton Road,contains the wording “*THE NATIONAL TRUST, OPEN TO THE PUBLIC (SUBJECT TO THE BYELAWS ON THE BACK OF THIS NOTICE)*”. This wording indicates that the byelaws were initially affixed to the sign but there is no record to show that this was case. In particular, there is nothing to suggest that they were attached to the sign during the relevant period.
8. The byelaws alone do not give the public the right to be on NT land and therefore the extent that they were displayed does not seem to be a significant factor. In contrast, the wording on the sign outlined above makes it clear that the land is open to members of the public subject to them adhering to the byelaws. Although there will be practical difficulties in terms of displaying signs on large landholdings, the NT should have probably done more if it intended to rely on signage to make it clear to the public that use was by right.
9. Prior to the charging scheme being implemented the arboretum, including the land crossed by the claimed route, was open to the public subject to them adhering to the bylaws. As long as they did not breach any of the bylaws, they were free to wander at will over the site and there is no indication of any other restrictions being placed on public use. Donation boxes were in place from around 1964. Whilst it was requested that non-members make a donation towards the upkeep of the arboretum, there was no compulsion to do so. It appears to me that this arrangement is distinct from the position after the charging system was introduced.
10. The users who spoke at the inquiry were aware the claimed route crossed NT land. It is also evident that the arboretum has been advertised in leaflets and publicity material. The evidence is supportive of it being well known that people were free to wander throughout the arboretum before a charge for entry was introduced. Peter Herring’s history of the arboretumstates that the introduction of a charge caused uproar among the arboretum’s neighbours and dog walkers who had become accustomed to unrestricted access. In these circumstances, there may be no need for more extensive signage for people to be aware that their use was by right.
11. A distinction can be drawn between this case and the position where there is a statutory right to be on land. Nonetheless, the public were permitted to use the land crossed by the B-C section of the claimed route along with the remainder of the arboretum. I do not necessarily see a difference between the public using the claimed route between points B-C and other unenclosed paths within the arboretum. For instance, an autumn walk leaflet produced by the NT before an entry charge was introduced shows the claimed route in the same manner as the western route and other paths in the arboretum. Although the route appears to lead towards the boathouse rather than point B. The B-C section can be used in conjunction with the western route as a walk within that part of the arboretum and the claimed route cannot only be viewed as a through route between existing public rights of way.
12. The use of the claimed route was also distinct from the right already recorded for the public to use Footpath 166 through the arboretum. Given that the definitive map is stated to date back to 1952, it is apparent that Footpath 166 was recognised as a public right of way prior to the NT becoming the landowner.
13. Prior to the charging scheme being implemented the arboretum was open from dawn to dusk. There is no suggestion that there was any significant use of the route outside of daylight hours. Nor would I expect this to be the case given that it is unlikely that people would wish to walk through the unlit arboretum at night-time, even though there would appear to have been no impediment to pedestrians doing so. The current arrangement is that the arboretum is open between 10:00 and 17:00 or 18:00 depending upon the time of year. It appears in essence this means that the car park gate is locked outside of these hours.
14. The NT could have possibly done more in terms of the placement of signage. An issue also arises in relation to the unauthorised access at point B, where it appears that the NT later tried to secure the boundary on occasions. However, the arboretum was a well-known visitor attraction. Subject to adhering to the bylaws, people were permitted to be on the land and no apparent distinction was made between use of the claimed route and other parts of the arboretum. The use between points B and C is likely to have appeared to the NT in this case to be part of the wider permission for the public to be on the land and no action would have been taken against people seen walking in this locality. It is also evident from the evidence of the users at the inquiry that it was common knowledge that the claimed route crossed land owned by the NT and they were permitted to be on the land.
15. Overall, I find on balance that the use of the claimed route, at least up to the point that a charge was applied to non-members in around 1993, was by right rather than being tolerated or by the acquiescence of the NT. This change resulted in members of the public not being permitted to walk within the arboretum unless they were members, or they had paid an entry fee. Further, the implementation of a charging scheme is suggestive of the revocation of unrestricted permissive access. The subsequent use by others could therefore have been as a trespasser as opposed to being by right.
16. The above conclusion means that the use of the claimed route cannot be viewed as being as of right throughout the whole of the relevant period. Furthermore, this issue would apply to any earlier twenty-year period following the introduction of the bylaws, from when it is acknowledged that public access was freely available within the arboretum. It is not asserted that the evidence is sufficient to establish the statutory dedication of a public right of way prior to the NT becoming the owner of the land. This is also evident from my assessment of the user evidence. Therefore, a right of way cannot have been dedicated under statute and there is no need for me to consider this matter further. I address below whether the dedication of a footpath can be inferred at common law.

***Common Law Dedication (1990s)***

1. Nothing has been provided to demonstrate that the NT does not have the capacity to dedicate a public footpath over its land. It appears to me that the dedication of a right of way could arise under Section 12 of the National Trust Act 1939. Additionally, no evidence has been provided to suggest that the owner of the A-B section could not have dedicated a footpath.
2. Given that permission to access the arboretum without charge ceased in around 1993, it is possible that some of the subsequent use of the claimed route was as of right until users became more aware of attempts being made to deter access at point B in around 2000. A proportion of the people who state that they used the route in the 1990s ceased to do so at some point during this decade following the introduction of entry charges.
3. It is apparent that around 50% of the people who claim to have used the route during the 1990s have been members of the NT. This issue was clarified by those who spoke at the inquiry and by others in response to a question posed by the Council on this point. A number of the users did not respond to the Council, and it is possible that there are additional people who were members of the NT. Nonetheless, the extent of the use by the relevant people is not generally significant in terms of the frequency of the stated use. An exception is the frequentclaimed use outlined in the UEFs submitted by Mr and Mrs Hall. The evidence from the relevantusers is for the most part found in the UEFs and was not tested at the inquiry.
4. The period under consideration is most likely to span 1993-2000. During this period a large number of the users were members of the NT and as such they were entitled to wander throughout the arboretum, including over the relevant part of the claimed route. No challenge could have been issued to these people as long as they did not engage in any activities contrary to the byelaws. Their use of the route between points B and C would therefore generally have been by right. An issue may arise out of the use by NT members outside of the designated opening hours. No details have been provided regarding the opening hours during the 1990s and the extent of the use by members outside of these hours. Whilst the extent of any use outside of the opening hours cannot be quantified, I acknowledge that there may have been some use by members which was not by right.
5. It is uncertain as to the extent (if any) that the additional users were NT members. However, when taken at face value, the extent of the use documented in the evidence of these people is not particularly significant given the potential period involved. There may have additionally been some use outside of opening hours by NT members which was notstrictly speaking by right but in the absence of any information on this matter I give it limited weight.In particular, a few of the users acknowledge that the NT made attempts during the 1990s to deter access at point B. It may be that this coincided with the NT taking a more active role at the site following the implementation of a charging scheme. This action would not be consistent with the dedication of a public right of way at common law.
6. I find that, when taken together, the extent of the use as of right during a potential seven-year period and the action taken by the NT does not on balance support an inference of the dedication of a footpath after the charging scheme was introduced.

***Common Law Dedication (prior to 1958)***

1. In light of the above conclusion, I now turn to the evidence provided in connection with the potential dedication prior to the introduction of the bylaws on 11 April 1958. The land crossed by the B-C section of the claimed route was purchased by Dr Fox in 1937 and he subsequently undertook work over a period of time to create an arboretum. He gifted the relevant part of the site to the NT in 1957. There is anecdotal evidence that points to Dr Fox being happy for people to make use of his land. It is apparent that people engaged in certain activities on the site such asplaying in the woodland,swimming in the lakes and picnicking. However, this does not necessarily mean that theuse of any particular route was by right.
2. Little weight should be attached to there being no evidence in support of the route being considered for inclusion on the original definitive map. This may indicate that the route was not claimed to be a public right of way at the time, but it does notrule out the acquisition of public rights in light of the discovery of evidence of use that occurred before or after the relevant date of the definitive map.
3. Fifteen people have provided evidence of use that commenced prior to 1958 and seven of these users spoke at the inquiry. One person clearly did not use the claimed route during this period and his evidence should be discounted. There are some conflicting statements in the evidence of particular witnesses, and I appreciate the difficulties of remembering details of use that occurred over 60 years ago. Nonetheless, there is a danger that a witness’ recollections can be influenced by their more recent use or how the site has subsequently evolved. It is evident that many of the users were young children during the initial period of their use and some refer to playing in the woodland generally. I also accept that there may well be additional evidence no longer available and some of the users refer to use by other people.
4. The maps attached to the UEFs show that a proportion of the users initially marked the western route or a route that proceeded towards the boat house at the end of Phillimore Lake. A few of the users have provided further clarification on this point. However, it remains the casethat some of the evidence cannot be attributed to the claimed route or the whole of this route. There is a noticeable difference between the route originally identifiedby particular people and the route more recently stated to have been used. There is a tendency for the recent evidence to make use of the Order Map which shows the claimed route marked on it. Given the map evidence discussed below, there may be some uncertainty regarding the reliability of the evidence of those people who state that they have always walked the claimed route.
5. The evidence of use dates back to the 1930s in the case of Mrs Girling. It seems more likely in light of what she said at the inquiry that her use related to a period from the latter part of the 1930s onwards. Additionally, there are doubts as to the extent of her historical use of the claimed route given that she also used the western route and referred to gaining access to the lakeside path near to the boathouse. I note that the map attached to Mr Barrs’ statement shows an old gate post from Footpath 165 near to the boathouse, which could have possibly provided access to a lakeside route. It is evident that a number of users did not commence using a route in this locality until the 1950s and the use is more limited before this decade. In three cases, the use did not start until 1956 or 1957.
6. Ordnance Survey (“OS”) mapping produced around the period covered by the earliest evidence of use shows a proportion of the claimed route by means of dashed lines alongside Phillimore Lake. However, this route is shown terminating at a point near to the boathouse rather than turning northwards to point B or continuing through to Footpath 165. Further, is it not depicted linking with Footpath 166 and stops at a point adjacent to the lake. In contrast, the western route is shown along with Footpaths 165 and 166. It is also evident that the western route is not shown linking with the claimed route. These features are additionally shown in this way on the OS mapping that pre-datesthe user evidence.
7. The relevant features referred to above are shown in the same manner on the base map used in connection with the 1957 conveyance for the transfer of this part of the arboretum and a 1957 planning map. An undated OS map used in relation to the sale of the property known as Stonelands additionally shows the western route linking directly with the track which encompasses Footpath 165, and the lakeside path is clearly shown leading to the boathouse. It is apparent that the annotated planning map and additional notes wereproduced following a site visit undertaken in relation to a proposed diversion of Footpath 165. I do not consider that these documents provide support for the existence of entry points to the claimed route or any obstruction of this route. The stiles and other features shown appear to relate to Footpath 165.
8. It needs to be borne in mind that OS maps do not provide any confirmation regarding the status of the paths or tracks shown. The value of these maps is that they are generally taken to be a reliable indication of the features that existed at the date of the relevant survey. The omission of the two sections of the claimed route from the maps produced prior to 1958 does not demonstrate that there was no public use. It only indicates that there was no discernible path that warranted being recorded by the surveyor. However, the available maps cast some doubt on whether there was any widespread use of the whole of the claimed route prior to 1958 given that other paths were clearly identified by the surveyor.
9. There is evidence to indicate the land in the locality of the claimed route previously comprised of a more-dense area of woodland and as such it is unlikely that people would have wandered over a number of routes. The documentary and user evidence suggests there were two paths that existed, namely the western route and one alongside the lake. I have little doubt that people have used the claimed route in more recent years. However, the contemporaneous map evidence casts doubt on whether there was originally a through route which corresponded with the whole of the claimed route. I therefore find it unlikely that people historically entered the land now owned by the NT at point B and used the initial section of the claimed route.
10. I recognise that the passage of time means that the evidence of use now available may not reflect the full extent of the use of a particular route. The only person who has provided evidence of use prior to the latter part of the 1940s is Mrs Girling and the use by three people did not commence until shortly before the land was transferred to the NT. Overall, the period of time covered by the bulk of the user evidence is relatively short. The frequency of the stated use is also generally low, which is not surprising given that any use was for recreational purposes.
11. A further factor is the extent of the use that was made of the claimed route. I have concluded that it is unlikely that use was historically made of a section of the route from point B. The documentary evidence and some of the user evidence could point to people using a proportion of the claimed route but joining or leaving at a point near to the boathouse. This issue casts doubt on the weight that can be attached to the evidence of those people who state that they have always followed the claimed route. Additionally, there is some evidence of use being made of the western route and this route is clearly marked on the relevant maps provided.
12. Overall, I do not find on balance that the evidence is sufficient to conclude that a public footpath was dedicated over the claimed route prior to 1958.No case has been made for the Order to be modified to record a footpath over an alternative alignment. Nor in my view can it be determined from the evidence that there was use of another route in this locality to such an extent to infer that it has been dedicated as a public footpath.

**Overall Conclusion**

1. Having regard to these and all other matters raised at the inquiry and in the written representations I conclude that the Order should not be confirmed.

**Formal Decision**

1. I do not confirm the Order.

Mark Yates

**Inspector**

**APPEARANCES**

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| **For the Council:**  |
| Mr T. WardHe called: Ms C. ValiantMr P. LewisMrs R. BryantMrs V. EsplenMr B. GrayMr P. KnightsMrs E. StedallMr K. ChestertonMrs Hyde | Counsel appearing on behalf of the CouncilCountryside Access Officer |
| **Additional Supporters:** |
| Mr B. Holland Mrs F. Godber Mr N. MarshallMr I. WilksHe additionally called:Mrs S. GirlingMrs T. BriggsMrs M. ClarkeMrs L. JacksonMr D. BoydMr J. Everington**For the NT:** Mrs D. SharplesShe called:Mr R. SatowMs S. ArcherMr C. Scott**Additional Objector**Mr R. Gravenstede   | Footpath Secretary for the local group of the Ramblers Solicitor instructed by the NT |

**DOCUMENTS TENDERED DURING THE INQUIRY**

1. Site map
2. Opening statement for the Council
3. Revised statement of Mr Knights
4. Statutory declaration of Mrs Romaine
5. Statutory declaration and revised UEF for Mrs Jackson
6. Statutory declaration and UEF for Mrs Briggs
7. UEFs for Ms Warner, Mr Boyd and Mr Jackson
8. 1940s OS map for the area
9. Details of responses to question on NT membership
10. Amended user graph compiled by the Council
11. Extracts from Mr Satow’s notebooks
12. Details of NT members who gave evidence at the Inquiry
13. Certified copy of 1936-37 electoral roll
14. Barbed wire details
15. People flows around ticket booth
16. BVPI Form
17. Deceased & incapacitated witnesses
18. Surrey Hills AONB map
19. Map highlighting the rights of way network in the area
20. UEFs for Mr and Mrs Helyar
21. Photographs of omega sign
22. Walking records for Mrs Briggs, Mr Marshall and Mrs Kemp
23. UEFs for Mr and Mrs Everington
24. Map showing the extent of the cart track
25. Statement of Mr Gravenstede
26. Order Decision for case FPS/B3600/7/109
27. Closing submissions for the NT
28. Closing submissions of Mr Wilks
29. Closing submissions for the Council



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