

Deletion of Public Footpath MST28, Stonehouse (573/11/212(12)) Gloucestershire County Council – ROW/3369398

List of Documents associated with the Statement of Case:

- **Doc ref 01** ORDER copy
- **Doc ref 03.2** Officer's DMMO report - 10 Dec 2024
- **Doc ref 03.3A** Ordnance Survey 1811 2":1 mile Pen & Ink on Paper Drawing (Cheltenham, OSD172)
- **Doc ref 03.3B** 1824 Bryant Map
- **Doc ref 03.3C** 1824 Greenwoods Map
- **Doc ref 03.3D** Ordnance Survey 1st edition 1":1-mile 1830
- **Doc ref 03.3E** Stonehouse Tithe Map 1839
- **Doc ref 03.3F** Ordnance Survey 25" Second Edition (1902)
- **Doc ref 03.3G** Finance Act Map
- **Doc ref 03.3G** – Valuation 1047
- **Doc ref 03.3G** - Valuation 998
- **Doc ref 03.3H** Ordnance Survey 25" Third Edition (1923)
- **Doc ref 03.3I** Parish Survey (Original Submission) under National Parks and Access to Countryside Act, 1949
- **Doc ref 03.3J** Parish Survey (Draft Map) under National Parks and Access to Countryside Act, 1949
- **Doc ref 03.3K** Parish Survey (claimed route and landowner's request) under National Parks and Access to Countryside Act, 1949
- **Doc ref 03.3L** Parish Survey (Modified Draft Map) under National Parks and Access to Countryside Act, 1949
- **Doc ref 03.3M** Parish Survey (Provisional & Definitive Maps) under National Parks and Access to Countryside Act, 1949
- **Doc ref 03.4** PowerPoint (photos) attached to Officer's report
- **Doc ref 03.5** Commons and Rights of Way Committee's minutes; Officer's report & recommendation
- **Doc ref 03.6** Commons and Rights of Way Committee's minutes approving officer's recommendation
- **Doc ref 4.2** 5 x objections
- **Doc ref 4.3** Taylor Wimpey (part landowner) response
- **Doc ref 05** Order advert/ notice
- **Doc ref 08** Order recipients
- **Doc ref 07** Pre-consultation responses

Case law references:

- **Trevelyan v Secretary of State for Environment, Transport & Regions [2001] – paragraph 17**

[https://gloucestershirecc.sharepoint.com/sites/FHighwayRec/DMMO%20and%20Def%20Map/Legislation%20and%20Case%20Law/Trevelyan%20v%20SSETR%20%5b2001%5d%20EWCA%20Civ%20266%20\(23%20February%202001\).html](https://gloucestershirecc.sharepoint.com/sites/FHighwayRec/DMMO%20and%20Def%20Map/Legislation%20and%20Case%20Law/Trevelyan%20v%20SSETR%20%5b2001%5d%20EWCA%20Civ%20266%20(23%20February%202001).html)

- **Dawes v Hawkins (1860). In such cases of temporary obstruction (upwards of 50 years in this case) the right to deviate would not equate to use along the temporary deviation ‘as of right,’ giving rise to dedication- paragraph 55.**

<https://gloucestershirecc.sharepoint.com/sites/FHighwayRec/DMMO%20and%20Def%20Map/Legislation%20and%20Case%20Law/Dawes%20v%20Hawkins%201860.pdf>

- **R v Inhabitants of the Parish of Hornsea [1854] 23 L.J.M.C. 59, where a right of way was washed away through the encroachment of the sea – paragraph 55.**

<https://gloucestershirecc.sharepoint.com/sites/FHighwayRec/DMMO%20and%20Def%20Map/Legislation%20and%20Case%20Law/Queen%20v%20The%20Inhabitants%20of%20Hornsea%20-%201854.rtf>

- **Gloucestershire County Council v Secretary of State for the Environment, Transport and the Regions [2001], where a section of public footpath running along bank of the River Severn was swept into the river – paragraph 55.**

[https://gloucestershirecc.sharepoint.com/sites/FHighwayRec/DMMO%20and%20Def%20Map/Legislation%20and%20Case%20Law/Gloucester%20CC%20v%20%20SSE%20\(2001\).pdf](https://gloucestershirecc.sharepoint.com/sites/FHighwayRec/DMMO%20and%20Def%20Map/Legislation%20and%20Case%20Law/Gloucester%20CC%20v%20%20SSE%20(2001).pdf)