Planning Inspectorate

**CASE REF: ROW/3365454 & ROW/3377321**

**GLOUCESTERSHIRE COUNTY COUNCIL**

**ADDITIONAL PUBLIC FOOTPATH FROM OAK WAY TO MST30, STONEHOUSE PARISH MODIFICATION ORDER 2025**
**&**
**ADDITIONAL PUBLIC FOOTPATHS ACROSS LAND KNOWN AS VERNEY FIELDS & SURROUNDING AREA, STONEHOUSE PARISH MODIFICATION ORDER 2025**

**CASE MANAGEMENT CONFERENCE SUMMARY**
**CMC held: 16 October 2026 10.00am**

1. The case management conference was led by the Inquiry Inspector, Mrs J. Ingram. The Inquiry is to be held at 10am on Tuesday 17 November 2026 at Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2ES.

2. Parties in attendance:

    - Gloucestershire County Council - Order Making Authority (OMA) in support –
    - Ms C Bonser
    - Ms J Harris

    - Mr G Tennant - Supporter
    - Mr H Tipper – Supporter
    - Mr J Parker – Supporter
    - Ms Fernando - Supporter

    - Mr and Mrs Godsell – Objector/Landowner
    - Ms Maiik – Objector/Landowner

    - The Planning Inspectorate (PINs) – Ms J Reid, Ms H Baker

3. The purpose of the conference was explained, it was to provide an opportunity for the Inspector to actively manage the case and to make arrangements for the presentation of evidence, so that the forthcoming Inquiry is conducted in an efficient and effective manner. The evidence and the merits of the respective cases were not discussed.

4. **Procedural matters**
   The Inspector asked if there were any queries or issues with the Order itself or the notices that have been issued. None were raised.

The Inspector explained that an email had been received from Ms Maiik requesting the postponement of the Inquiry. The Inspector clarified with the OMA that Notice of the Inquiry had now been advertised to the public. The Inspector said she would write to Ms Maiik to explain the position, but at present the Inquiry will proceed as planned. Any change would be communicated to the parties.

Following the CMC the Inspector has written to Ms Maiik. In light of the personal circumstances explained, the Inspector has agreed the following arrangements:

- **Statement of Case:** If Ms Maiik wishes to submit a SoC, she must do so by **22 October 2026**.

- **Circulation of the SoC:** this will be circulated to the other parties on **23 October 2026**, or as soon as practicable thereafter.

- **Proofs of Evidence:** a Proof of Evidence (PoE) for each witness should then be submitted by a revised deadline of **30 October 2026**. These will then be circulated to the parties ahead of the Inquiry. (A PoE is the full written statement of what the witness will present orally at the inquiry, this is a statement only no additional documents or appendices should be attached)

  The Inspector recognises that the original deadline for submitting PoE statements is today (20 October 2026) and that some parties may already have submitted them. To allow parties to review Ms Maiik's Statement of Case and, if they wish, then to supplement or resubmit their Proofs of Evidence, the deadline has been extended to **30 October 2026.**

  No further evidence or statements will be accepted after the applicable revised deadlines.

5. The documents submitted:

   **Statements of Case (SoC) received:**
   OMA (support)
   Mr Tipper – Applicant Oak Way (support)
   J Callinan – Stonehouse Town Council (support)
   Mr and Mrs Godsell (objection)

   **Proof of Evidence (PoE) are to be submitted by 30 October 2026 (revised date).**

   All the inquiry documents, including all the SoC (including appendices) and PoE, are held on deposit with the OMA for the public to view.

   The Planning Inspectorate circulate the SoC but do **not** circulate any appendices or additional documents that are sent with the SoC.

It is important that all parties have sight of all the inquiry documents ahead of the inquiry. If you have not seen all the documents and appendices, please make arrangements to view these with the OMA.

The OMA explained that they have put all the Inquiry documents onto a website, so parties are able to access the documents online. The links to the websites are below:

Stonehouse 573/11/212(4) | Highways

Stonehouse 573/11/212 (6), (7), (8), (9) & (10) | Highways

The Inspector asked if any party had any other documents that the Inspector was not aware of. Nothing was raised by the parties.

6. The Inquiry running order and timings were discussed. Following the opening of the Inquiry by the Inspector, all parties will have an opportunity to present an opening statement. This is a summary of the main facts of the case but is not an opportunity to present evidence. Ideally each parties opening statement should not be more than 10 minutes.

   The supporters of the Order will present their case first and will call any witnesses that they may have.

   The objectors will then have the opportunity to present their case followed by any other interested parties. There will be an opportunity to cross question the other parties' witnesses and the Inspector may have some questions.

   At the end of the Inquiry, each side will present their closing submissions, starting with the objectors and then the supporters of the Order. Ideally each statement should not take more than an hour. It is helpful for the Inspector to have a hard copy of your closing submissions, if possible, this should be handed to the Inspector at the inquiry.

   The Inspector will then make arrangements for an accompanied site visit if this is considered necessary before closing the Inquiry.

   The Inspector will carry out an unaccompanied site visit prior to the inquiry. If you see the Inspector carrying out the unaccompanied site visit, please do not approach them.

   The Inquiry will open at 10am, there will be a break for lunch around 1pm and there will be short comfort breaks mid-morning and afternoon.

   Three days have been set aside for the Inquiry, with the possibility of a fourth day if required, however, this would be at a different venue. All parties will need to be as flexible as possible in making their witnesses

available. If there is a problem with witness availability, please inform the case officer.

The OMA indicated they will have 10 user witnesses in total, plus Ms Harris as the case officer.

Others in support, Mr Tipper, Mr Tennant and Mr Parker indicated they will give evidence and intend to be at the inquiry for the duration.

Mr and Mrs Godsell will be representing themselves and intend to give evidence.

Ms Maiik indicated she will be represented at the inquiry.

7. An in-person Inquiry has been arranged for 10am on Tuesday 17 November 2026 at Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2ES.

   The OMA advised that no member of the public have currently requested virtual attendance at the Inquiry, but if sufficient notice is given, facilities will be available if this is required. The OMA will also prepare document bundles to be available at the inquiry.

   The OMA confirmed the venue is accessible and large enough to accommodate all parties. WiFi is available. A retiring room for the Inspector will be made available. Parking is available at the venue at a cost of £8.40 per day.

8. It is usual in public rights of way cases for parties to bear their own costs, applications may only be made in cases of unreasonable behaviour.

   The OMA, Ms Maiik and Mr and Mrs Godsell reserved their position on any application for costs at this stage.
   If any application is to be made, the Planning Practice Guidance makes it clear that, as a matter of good practice, it should be made in writing **before** the inquiry. The latest an application can be made is orally before the end of the inquiry.

   To assist the parties some further information on costs is reproduced below.

   Further information can be found at:
   https://www.gov.uk/claim-planning-appeal-costs
   https://www.gov.uk/guidance/appeals#award-of-costs

   *What is an Award of Costs?*
   An award of costs is an order which states that one party shall pay to another party the costs, which may be in full or in part, which have been incurred by the receiving party during the process by which the Inspector's decision is reached.

*When can Costs be awarded?*
Costs can be awarded where the following conditions have been met:
• a party has made a timely application for an award of costs;
• the party against whom the award is sought has behaved unreasonably; and
• the unreasonable behaviour has caused the party applying for costs to incur unnecessary or wasted expense in the process.

*What does "unreasonable" mean?*
The word "unreasonable" is used in its ordinary meaning, as established by the courts in Manchester City Council v SSE & Mercury Communications Limited [1988] JPL 774.

Unreasonable behaviour in the context of an application for an award of costs may be either:
procedural – relating to the process; or
substantive – relating to the issues arising from the merits of the application.

The Inspector has discretion when deciding an award, enabling extenuating circumstances to be taken into account.

*What counts as unnecessary or wasted expense?*
An application for costs will need to clearly demonstrate how any alleged unreasonable behaviour has resulted in unnecessary or wasted expense. This could be the expense of the entire proceeding or only for part of the process.

9. One party requested a summary of the running order of the Inquiry.

This is subject to change, but the proposed running order is:

- Inspector Opening
- Short opening – OMA/supporters
- Short opening – objectors
- OMA present their case first:
  - witness 1 – gives evidence, answers any questions from OMA
  - witness 1 – cross-examination, questions from objectors
  - witness 1 – re-examination, points of clarification from OMA.
  - witness 1 – any questions from Inspector
- Repeat above for each witness
- Any others in support give their evidence, can be questioned as above.
- Objectors then present their case:
  - witness 1 – gives evidence, answers any questions from objectors
  - witness 1 – cross-examination, questions from OMA
  - witness 1 – re-examination, points of clarification from objectors.
  - witness 1 – any questions from Inspector
- Repeat above for each witness/each objector
- Any other Interested Persons who wish to speak.
- Closing Statements – objectors first followed by OMA/supporters
- Arrangements for site visit if necessary.

Further information can be found at:
Guidance on Procedures for Considering Objections to Definitive Map and Public Path Orders - GOV.UK

There were no further questions. The parties were thanked for their assistance and cooperation. The conference was closed at 10.54 a.m.

**Mrs J Ingram**
20 October 2026