



Order Decision

Inquiry held 24 to 26 April 2019

Site visits made on 23 and 26 April 2019

by Martin Elliott BSc FIPROW

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

Decision date: 31 May 2019

Order Ref: ROW/3201717

- This Order is made under Section 53(2)(b) of the Wildlife and Countryside Act 1981 (the 1981 Act) and is known as The Wiltshire Council (Parish of Urchfont) Path no.51 Definitive Map and Statement Modification Order 2015.
- The Order is dated 6 October 2015 and proposes to modify the Definitive Map and Statement for the area by adding a public footpath as shown on the Order plan and described in the Order Schedule.
- There were 79 objections outstanding at the commencement of the inquiry.

Summary of Decision: The Order is not confirmed.

Preliminary Matters

1. The Council requested that the Order be modified in respect of the path number. The path is identified as number 51 in the Order but this should be 52. This is an administrative error and there is nothing to indicate that this has rendered the Order misleading or has led to any prejudice. The Order, if confirmed, will be modified accordingly.
2. Following the close of the Inquiry the Planning Inspectorate received an electronic copy of the photograph at page 31 of Appendix B of Urchfont Church of England Primary School's (the School) Statement of Case. Whilst the printed picture was not particularly clear it was not disputed at the Inquiry that it showed a padlock. The electronic copy of the photograph did not in my view raise any new issues and was therefore not circulated to the parties.

The Main Issues

3. The Order has been made under section 53(2)(b) of the 1981 Act in consequence of an event specified in section 53(3)(b).
4. Section 31 of the Highways Act 1980 provides that where a way, other than a way of such a character that use of it could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public, as of right and without interruption, for a period of twenty years, the way is deemed to have been dedicated as a highway unless there is sufficient evidence that the landowner demonstrated a lack of any intention during this period to dedicate the route. The twenty year period applies retrospectively from the date on which the right of the public to use the way was brought into question.
5. Dedication at common law requires consideration of three issues: whether any current or previous owners of the land in question had the capacity to dedicate a highway, whether there was express or implied dedication by the landowners

and whether there is acceptance of the highway by the public. There is no evidence of any express dedication. Evidence of the use of a path by the public as of right may support an inference of dedication and may also show acceptance by the public. In a claim for dedication at common law, the burden of proving the owner's intentions remains with the claimant.

6. The main issue in this case is whether the use of the Order route by the public on foot raises a presumption that the way has been dedicated as a public footpath. I shall firstly consider the statutory dedication of the way under section 31 of the Highways Act 1980. If the use is sufficient to raise a presumption of dedication then I will need to consider whether any landowner demonstrated a lack of intention to dedicate the way as a public footpath. Should the statutory dedication fail then it will be necessary to consider dedication at common law. The test to be applied to the evidence is on the balance of probabilities.

Reasons

Background issues/information

Urchfont Parish Council Questionnaire

7. In opposition reference was made to a questionnaire circulated by the Parish Council. The School asks why, if the Parish Council regarded the Order route to be a public right of way, was there no mention of the path in the survey. It is suggested that it now cannot be claimed to be a well know right of way when it is not shown on the map.
8. I acknowledge that the Order route is not shown on the plan accompanying the questionnaire. However, the questionnaire relates to access to Oakfrith Woods, the cricket club and the playing field/playground. The questionnaire makes reference to the Order route in the context of access to the playing field/playground and indicates that this element was already subject of a survey. Given that the questionnaire was circulated in September 2012 the Order route would only have been accessible outside school hours and that position is reflected in the questionnaire.
9. In my view the questionnaire does not cast doubt on the status of the Order route but indicates that the route was already subject of a survey. The Parish Council subsequently made an application to Wiltshire Council to add the route to the definitive map in January 2014. That does not suggest that the Parish Council did not regard the route as public. In any event the questionnaire does not preclude the existence of public rights.

Landownership

10. The section of the Order route from The Green to the School and the eastern part of the recreation ground, including part of the School garden, is in the ownership of Wiltshire Council (forming WT274319). Control of WT274319 was transferred by Wiltshire Council to the School on 1 April 2008. The School is in the ownership of the Salisbury Diocesan Board of Education conveyed by the Council on 31 December 1974 (WT289277). The western part of the recreation ground is owned by Urchfont Parish Council transferred by Wiltshire Council in 2016.

Memorandum of Understanding

11. In February 2009 a Memorandum of Understanding (MoU) was signed between the School and Urchfont Parish Council. The MoU indicates that the recreation ground, with the exception of the tennis courts unless booked, is open to use by the School during the school day with the area leased to the Parish Council open to residents of the Parish. Outside the school day the whole of the grassed area of the playing field may be used by residents of the Parish unless the School advises that the area is needed for school purposes.
12. Whilst I note the submissions of the Council as to the status of the MoU, given the wording of the MoU, despite the lack of a plan, it more likely than not relates to the recreation ground and in particular the land adjacent to the school. It is agreed that Wiltshire Council are not party to the agreement and, in their absence, the MoU cannot create binding conditions on Wiltshire Council as to the use of the land. Nevertheless the evidence of Mrs Madgwick is that the control of the land (WT274319) was transferred to the School on 1 April 2008. In the absence of details of the transfer it is difficult to reach any conclusions as to what control Wiltshire Council retained. It is possible that it was open to the school as controllers of the land to enter into an agreement with the Parish Council.
13. Notwithstanding the above, whilst the MoU may have restricted access to the recreation ground I do not consider that this precludes the acquisition of public rights over the Order route. The recreation ground is open for use by the public, albeit restricted to certain times, and consequently provides a place of public resort such as to provide an appropriate terminus for the Order route.

Urchfont Manor

14. The School contend that the Order route only became an issue when the permissive path through Urchfont Manor was closed and sold into private ownership in March 2013. Whilst this may be the case the issue to be considered is whether public rights have been established on the Order route either under section 31 of the Highways Act 1980 or at common law.

Statutory Dedication – Section 31 Highways Act 1980

When the right to use the way was brought into question

15. If the right of the public to use a particular route is to be effectively brought into question there must be some act that is sufficient to bring to the attention of at least some of those people using the way that the right to do so is being challenged so that they may be apprised of the challenge and have a reasonable opportunity of meeting it.
16. The Council has taken the date when the right to use the way into question as being at some point after July 2011 and prior to October 2011 when an electronic locking system was installed on the gate at point B¹. Although it is disputed by the School that the installation of electronic system brought the right to use the way into question the locking of the gate is recognised in the evidence of use as an event which prevented use during the school day. Consequently I conclude that this event did bring the right to use the way into question. This would set a relevant twenty year period of 1991 to 2011.

¹ Letters A, B and C used in this decision relate to points shown on the Order plan.

17. Notwithstanding my finding at paragraph 16 above the objector asserts that earlier events brought the right to use the way into question. Evidence before me is that just prior to the installation of the electronic system the gate at point B was locked during school hours. Mrs Barnett suggested that the gate was locked from January 2011. In cross-examination she accepted that it was only after the Health and Safety inspection in January 2011 that any padlocking of the gate took place. The evidence from a previous headteacher (September 2009 to August 2011), Mr Richards, is that the locking occurred in early 2010. Mr Richards had vivid recollections of the locking of the gate which he considered to be a burden. He recalled a pupil who was a 'runner' which necessitated the locking of the gate. Mrs Underwood also recalled Mr Richards taking the padlock on and off the gate. Mrs Creasey-Cottle, although unclear of the dates, recalled the gate being padlocked; this would have been after 2010 but before 2013, her daughter starting at Pre-School in 2010. Mrs Lyttle said the route was locked only for a few months before the electronic system was installed. A number of objections also refer to the locking or bolting of the gate although the dates when such activities took place are not particularly clear.
18. In contrast to the above the UEFs indicate that the gate was not locked until 2011 and those giving evidence in support of the Order indicated that it was not until June 2011 that the gate was locked with the electronic system. It is also noted that an item in the parish newsletter 'News and Views' (published in August/September 2011), following an Email from the School of 14 June 2011, indicates that the gate 'is now locked'. Given the date that the information was provided it would appear that the practice of locking gates was a change to the practice at that time. The evidence does not support the locking for any significant period of time prior to August/September of 2011.
19. On the evidence I would accept that the gate was locked prior to the installation of the electronic locking system. However, there is nothing to indicate that use of the way was prevented prior to the locking of the gate in 2011. On balance it is therefore likely that the locking of the gate prior to the installation of the electronic system served to bring the right to use the way into question. Although the locking of the gate is prior to installation of the electronic locking system the relevant period would essentially remain 1991 to 2011.
20. It is also asserted in opposition that those using the route were challenged in their use of the way, that the route was obstructed by the school garden and a fence between the garden and the car parking area. Further, that the gate at point B was locked in the 1980s/1990s and that use of the playing field from 2009 was in consequence of the MoU relating to the playing fields. However, there is nothing to indicate that these events were sufficient to alert at least some of those using the way that their right to use the way was being challenged. The evidence of use indicates use up to 2011 with the locking of the gate. As such I do not consider that these events would have brought the right to use the way into question. Nevertheless these matters are relevant in respect of my consideration of the evidence of use in the relevant period of 1991 to 2011 which I consider below.

Evidence of use 1991 to 2011

21. The Council has submitted 28 user evidence forms (UEFs) which show use of the Order route by the public for the relevant twenty year period. Use was on foot varying from daily to monthly in frequency. The route was used to access the School, the recreation ground and Oakfrith woods. Some UEFs refer to seeing others using the route and many considered the route to be a public right of way. A number of the maps accompanying the UEFs do not show the entire order route, many only identifying the route A to B. However, in some instances the description of the route would suggest use of the Order route. There is no indication that use was interrupted until the locking of the gate at point B. However, I note the UEF form of Mr A Giddings refers to gates being locked during school hours although he then refers to a 'recent' notice stating that the gates would be locked during school hours. It is possible that Mr Giddings encountered a locked gate prior to 2011 although, given the reference to the notice, the locking to which he refers may have been from 2011. In the absence of more details it is difficult to reach any particular conclusions and his evidence needs to be seen in the context of all other evidence. There is no evidence that anyone was challenged on the Order route. It is noted however that a number of UEFs refer to challenges to people on the recreation ground but not on the Order route. Some refer to the route being changed due to changes to the layout of the school although no dates are provided.
22. It is suggested in opposition that the Urchfont Parish Council submitted a revised application plan and that this was then accepted as the basis for the claim. It is noted that Urchfont Parish Council did submit a revised application plan and I acknowledge that the route shown between points B and C is changed to show the route of the path on the ground. However, there is no evidence that the original UEFs were amended, the application continued to rely on the 27 witness statements. It is noted that the Council carried out further consultations with users to clarify certain matters. However, there is nothing from the consultation responses which suggest that the UEFs should not be relied upon. Some weight should be given to signed UEFs and the accompanying maps.
23. A number of individuals gave evidence to the inquiry as to their use of the way. The witnesses indicated use of the Order route during and before the relevant twenty year period. Use was throughout the day at all times of the year. There was no indication that use was challenged or interrupted. Use was again for access to the School, the recreation ground and Oakfrith Woods, many recalled seeing others on the route. Statements (Inquiry document 1) submitted in support of the Order are also consistent with the other evidence of use.
24. In opposition it is contended that the Order route has been obstructed and that the gate at point B had been padlocked from time to time through the twenty year period. Further, that any use has only been outside school hours or when entering the school premises under licence. It is also suggested that the applicants witnesses are drawn from a small group of people, mostly using the route under licence and that many were on the Scarecrow Committee.

Obstructions – memorial garden and fencing

25. The Council acknowledge that, at the earliest, a fence, with a hedge, was erected between the garden area and the school car parking area in 2010 and

- that this would have caused an obstruction. The evidence before me suggests that the fence and hedge were present in early 2010 possibly from March.
26. It is argued by the Council that any deviation around the fence should, in the circumstances, be treated as an exercise by the public of their common law right of deviation. Although there is a common law right to deviate around an obstruction on a public right of way, by 2010, given the relevant twenty year period any presumption of dedication will not have arisen. Further, for a statutory dedication to arise there is a need for the way to be used for the full twenty year period. Whilst there is no requirement for the precise line to be followed it is necessary for a reasonably defined route to be followed. Mrs Madgwick took the view that the public did not see the fence as an obstruction and any deviation was of no consequence. However, Mr Hawkins indicated that when the fence was erected he went towards the car park and through the gate into the recreation ground. Mr Stevenson said that you just had to go around heading '4 to 5 yards' towards the main entrance to the School through the gap which is there now. Mrs Hawkins said that she just deviated around the garden down the drive towards the School entrance gate.
27. In my view the deviations involved a different route and not one which followed a reasonably defined route corresponding to the Order route. The erection of the fence constitutes an interruption of the use of the way during the twenty year period.
28. In the alternative it was argued by the Council that any deviation was within the bounds of that permissible; I was also referred to the case of *Fernlee*². In *Fernlee* a deviation was necessary in consequence of very temporary obstructions along the Order route. However, in respect of the Order route the fence erected in 2010 was not of a temporary nature and indeed remains across the alignment of the Order route. I do not consider that any comparisons can be made between *Fernlee* and the Order route.
29. As a third alternative the Council suggested that the erection of the fencing was an earlier date that the right to use the way was brought into question. I set out at paragraph 15 the circumstances necessary to bring the right to use the way into question. As Mrs Madgwick said in response to questions from me the deviation was of no consequence. There is nothing before me to suggest that any of the users considered that the erection of the fencing and the need to deviate amounted to a challenge to their right to use the way. On balance I do not consider that the erection of the fence in 2010 amounted to bringing the right to use the way into question.
30. In or around 2009 a memorial garden was established. Whilst the flower beds would have required users of the Order route to deviate there is nothing to indicate that any deviation was of such significance such as to prevent the use of a reasonably defined way.

Gate at point B

31. I have already considered the bolting/locking of the gate in the context of bringing the right to use the way into question. I have concluded that any locking of the gate in more recent times more likely than not commenced in

² *Fernlee Estates v City and County of Swansea and the National Assembly for Wales* [2001] EWHC Admin 360

- early 2011. Prior to 2011 there is an indication that the gate at point B was bolted or locked.
32. Mrs Barnett recalled that the gate was locked outside school hours up to around 1995/96 and remembered sometimes arriving at work in the mornings to find the lock still on the gate. Mrs Barnett said that during the school day the gate was bolted with the bolt positioned at the top to prevent children unlocking it. The locking outside school hours stopped because people were climbing over the gate and causing damage. Mrs Barnett said that more formal procedures were introduced to ensure that the bolt was secured during school hours and that any unauthorised access by anyone who had learnt 'the secret of the bolt' would be challenged. The fact that the bolt was positioned out of the reach of children and that people who had discovered the 'secret of the bolt' could gain access suggests to me that the gate was bolted during the school day but not locked. However, a parents' newsletter from April/May 2006 states that the gate would be locked during school hours. A photograph of the gate taken in 2004 shows a padlock on the shutting post of the gate described by Mrs Barnett as being rusty. In cross examination she acknowledged that at that time the gate was not being padlocked.
33. Mr Bailey, with children at the School from 1984 to 1994, remembered initially the gate being locked at all times but then, due to vandalism, the gates were only locked during school hours. He said that bolts were applied and padlocks were provided although these went missing and he could not give dates. He had no knowledge of what happened during school hours after 1995 as he did not use the route after that time during these hours.
34. Mrs Marshall recalled that from 2006 the gate on occasions had been left open and she had gone out to bolt the gate. This implies that the gate was not locked at all times around this time. Mrs Underwood stated that in 1999 the gate was locked during school holidays. She also recalled, although could not provide dates, a parent climbing over the bolted gate; this was at the end of the school day and she presumed the parent could not reach over. She said it would have been possible to reach over and draw the bolt. She recalled taking the children to Church etc. and would put her hand over the gate on exit to bolt the gate. Mrs Underwood also remembered Mr Richards putting the padlock on and off the gate although given my consideration above (Paragraph 19) it is more likely than not to have been in 2011. She accepted in cross examination that she did not actually witness the locking of the gate. Mrs Creasey-Cottle said that when her daughter started school in 2010 the gate was padlocked although previously only bolted. She remembered Mr Richards removing a padlock. Given the date it is likely that the locking referred to by Mrs Creasey-Cottle was that carried out by Mr Richards from early 2011. Mrs Lyttle said that she gave a 'leg up' to a mother attempting to climb the locked gate as they were unable to get anyone in the office to answer the telephone. In cross-examination she accepted that it was possible to reach over and unbolt the gate; in 2009 it was bolted but was subsequently padlocked until the electronic locking system was installed. Mrs Watson said that the gate was locked in school hours but Mr Lind said it was shut and bolted.
35. Looking at the evidence in support of the locking/bolting of the gate including the evidence contained in the objection letters I find the evidence inconsistent. Whilst reference is made to the locking of the gate there is a lack of clarity as to whether this meant padlocked rather than just bolted. Nevertheless a

number of the objectors witnesses had clear recollections as to the locking of the gate and that evidence was subject to rigorous cross-examination. However, it is also clear that times during school hours the gate was not always closed or locked. The photograph from 1995 submitted by Mr Hawkins clearly shows the gate was open at that time. In the circumstances it is likely that the gate would have been open at other times. In contrast the evidence of those using the way does not support the locking of the gate.

36. Overall, the evidence does suggest that the gate was locked on occasions. If the gate was not locked at times there seems to be little point in the padlock on the shutting post shown in the 2004 photograph; accepting that Mrs Barnett acknowledged that at that time the gate was not being locked. It should also be noted that there would seem to be no purpose in locking the gate outside school hours given that the school site would have been open to the North. On balance, any locking of the gate was more likely than not on an intermittent basis otherwise this would have been acknowledged by those claiming use of the way. There is nothing to indicate that any locking that did take place interrupted the public use of the way.
37. Notwithstanding the above the bolt which was at the top of the gate was positioned so that it could not be reached and opened by children at the School. There is also evidence that some adults had difficulty in reaching the bolt and also releasing it particularly when the bolt lever handle was in a downward pointing position. As noted by the Council there may be recorded public rights of way where a child might have difficulties in using a gate or stile. This would not mean that the route was not a public right of way but such difficulties would amount to an obstruction rather than a limitation on the dedication. However, in the dedication of a right of way there cannot be a dedication limited to a certain group of people. In this case only those who would be able to release the bolt when it was in a closed position. It is acknowledged that the occasions when children could not reach the bolt might be rare given that children would be at school when the gate was bolted. Nevertheless the bolt was intended to prevent the gate from being opened by a child and others were prevented from using the way due to their height and the positioning of the bolt. In my view, given that some use would have been prevented such as to give rise to a limited dedication, the statutory dedication of a public footpath must fail.

Use as of right

38. Use as of right is use without force, without secrecy and without permission. There is no evidence before me that use was in secret, use was throughout the day including during school opening times. In respect of use by force none of those using the way were challenged in their use. It is acknowledged that staff were encouraged to challenge anyone not recognised as legitimate visitors. Some of the School's witnesses indicated that challenges were made but the evidence suggests that most of the challenges were to those off the order route or who were engaged in activities other than walking along the Order route. On balance any challenges were insufficient to render use as with force.
39. In respect of use with permission there is no evidence of express permission being granted (I consider below the evidence relating to the Scarecrow Festival). I do note the UEF of Mrs Brockie states that she was given permission when her children attended the School. However, no details as to

the permission are provided and none of the other UEFs refer to the granting of permission. Many UEFs indicate that permission was not required because the route was considered to be a public right of way.

40. I would acknowledge that those visiting the School, for example dropping and picking up children and attending meetings, would be with implied permission but only in respect of the section of the path falling within the ownership of the School. The inference could not extend to land outside the ownership, namely that land owned by Wiltshire Council. Furthermore, use of the Order route as a through route, even if visiting the School, would not be use under any licence or implied permission.
41. Overall some of those using the Order route did so at times to visit the School and such use would therefore not be as of right. The fact that some use was not as of right needs to be put in the balance when assessing the public use of the way.
42. In respect of the Scarecrow Festival the School contend that permission has specifically been sought to use the Order route in connection with the festival with payment being made in acknowledgement of that permission. This annual event is said to attract thousands of visitors. Correspondence does indicate that the Committee wrote to the School requesting access through the school grounds to The Green. However, whilst the request was made this was to facilitate a large village event which would attract considerable use of the school grounds. I do not consider that, in the circumstances, the request, and subsequent permission, amounts to a granting of permission for the public to use the Order route. As explained by Mr Pendry, as a matter of courtesy the Scarecrow Festival Committee tries to approach all interested and affected parties including the School.
43. In respect of any payments made by the Scarecrow Festival Committee, the correspondence suggests that this was for allowing access through the School grounds. However, I revert to my previous comments.
44. Overall, whilst some use of the way has been with implied permission there remains use of the way without permission. The granting of permission to some, either express or implied, does not render use by others as being with permission and therefore not as of right.

Conclusions on statutory dedication

45. Having regard to all the evidence I conclude that whilst the way was used by the public this, due to the fencing, did not extend to the full twenty year period. In any event, given the presence of the bolt, use was limited to those who could open the bolt when the gate was bolted closed. Any presumption of dedication cannot give rise to a dedication to a limited element of the public. In view of this, had I concluded that the fencing constituted a bringing into question the right to use of the way, the issue relating to the bolt would still apply. On balance the presumption of dedication does not arise and it is not necessary to consider whether any landowner demonstrated a lack of intention to dedicate.

Dedication at Common Law

46. In view of my findings in respect of a statutory dedication it is necessary to consider the dedication of the Order route at common law. Either end of the

Order route is in the ownership of Wiltshire Council which supports the Order. There is no evidence before me that the Council as landowner took any steps to prevent the use of the way. There is therefore a strong inference of dedication at common law.

47. In respect of the central section of the Order route this crosses land in the ownership, from 1974, of the Salisbury Diocesan Board of Education. Whilst there is evidence of use by the public as of right there is evidence, as noted above, that the gate on the route was locked on occasions prior to 2011. Any such locking does not suggest that the landowner intended to dedicate the route. Further, whilst the gate was also bolted with the intention of preventing school children from getting out of the school premises the bolting of the gate also prevented use of the way by some. In the circumstances I do not consider that this supports an inference that the landowner intended to dedicate the route as a public footpath; noting that any dedication cannot be limited to those who were able to unbolt the gate. It is nevertheless acknowledged that at times the gate was not bolted and was accessible to all members of the public.
48. I have already considered challenges to the use of the route and have concluded that any challenges did not render use as being with force such as to render it as being not as of right. It is also recognised that the School did not take other steps to prevent the acquisition of public footpath rights. However, I do not consider that there is sufficient evidence, on the balance of probabilities, from which an inference of dedication at common law can be drawn in respect of the land occupied by the school. Consequently it is not appropriate to confirm the Order.

Other Matters

49. A number of objections raise concerns in respect of the safeguarding of children at the School. Whilst I can appreciate these genuine concerns the 1981 Act does not allow me to take such matters into consideration. My decision must be based on the evidence before measured against the relevant criteria. Issues were also raised in respect of the need for the route and suitability of alternative routes. I revert to my previous comments which are equally applicable.

Conclusions

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

Formal Decision

51. I do not confirm the Order.

Martin Elliott

Inspector

APPEARANCES

For Wiltshire Council

Mr T Ward

Of Counsel, instructed by Head of Legal services,
Wiltshire Council

who called
Mrs S Madgwick

Also in support of the Order:

Mr D Kinnaird

Mrs B Potter

Mr G Day

Chair, Urchfont Parish Council

Mr T Hill

Mr D Milner

Mr R Hawkins

Mr J Stevenson

Mrs J Hawkins

Mrs J Steadman

Mr J Steadman

Mr R Thomas

Mr M Smith

Mrs C Milanes

Mrs J Wheatley

Mr W Donald

In opposition to the Order:

Mrs A Watson

Who also called

Mrs A Marshall

Mrs F Underwood

Mr A Richards

Mrs K Creasey-Cottle

Mrs C Talbot

Mr R Lind QPM

Mrs E Lyttle

Mr P Bailey

Mr M Kemp

Mrs J Barnett

Also in opposition to the Order:

Mr P Bancroft

Ms N Hammond

Interested persons:

Mr R Pendry

Chairman, Urchfont Scarecrow Festival Charity

Documents handed in at the Inquiry

- 1 11 No. Statements of support
- 2 Statement of Honor House (objection)
- 3 4 No. aerial photographs at A3 size (submitted previously in Proof of Evidence of Mrs Madgwick)
- 4 Statement of Mrs B Potter
- 5 Statement of Chairman of Urchfont Parish Council
- 6 Statement of Mr R Pendry
- 7 Statement of Mr D Milner
- 8 Statement of Mr T Hill
- 9 Statement of Mr R Hawkins
- 10 Statement of Mr J Stevenson
- 11 Statement of Mrs J Hawkins
- 12 Statement of Mrs J Steadman
- 13 Statement of Mr J Steadman
- 14 Statement of Mr M Smith
- 15 Statement of Mrs J Wheatley
- 16 Statement of Mr W Donald
- 17 Opening Statement on Behalf of Urchfont Church of England Primary School
- 18 Statement of Mrs A Marshall (also at p753 of the Council's Statement of Case (CSoC))
- 19 Statement of Mrs Underwood (p821 CSoC)
- 20 Statement of Mr A Richards (p541 CSoC)
- 21 Statement of Mrs K Creasey-Cottle
- 22 Email to Head of Urchfont School from Mr R Pendry
- 23 Amended statement of Mrs C Talbot including Email from Health and Safety Officer of Wiltshire Council to Mrs C Talbot
- 24 Statement of Mr R Lind QPM
- 25 Amended statement of Mrs E Lyttle
- 26 Statement of Mr P Bailey
- 27 Statement of Mr M Kemp
- 28 Amended statement of Mrs A Watson with extract from Redhorn News
- 29 Statement of Mrs J Barnett
- 30 Amended statement of Mr P Bancroft
- 31 Closing submissions on behalf of Urchfont Church of England School
- 31 Closing submissions on behalf of Wiltshire Council including an extract from Rights of Way Law Review 'Remedies: obstructions and nuisances' (January 1991)