

## Addendum

The below new evidence submitted by Mr David Rice on 20/12/19 is highlighted as it relates to the Finance Act which shows the route as separate from the taxable holdings. It is suggested that the way the route is depicted on the plan, together with the other evidence is indicative of “public carriageway rights” and supportive of a BOAT (Byway Open to All Traffic) status.

Email From David Rice 20/12/19 – (Sent to P Dalton, Staffordshire County Council)

*“Attached are copies of the relevant 1910 Finance Act Plans which are strong evidence, taken in context of the other evidence found, that the application route enjoys public carriageway rights. This being based on the case law for routes excluded from adjoining hereditaments or “coloured out” on 1910 Finance Act Plans. This having been decided by the courts in Robinson Webster (Holdings) Ltd v Agombar and others (2001) and Fortune & Others v Wiltshire County Council (2012). Please add this communication and attachments to the evidence in support of BOAT application LL602G. This is “new evidence” for the user rights that was not considered by Staffordshire County Council when it undertook its “Special Review” - and reclassified or “downgraded” the route from a “Road Used as a Public Path” to a Public Footpath.”*

---