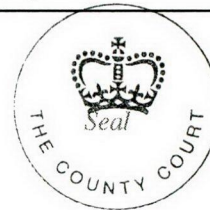


DOCUMENT 3

Nottinghamshire County Council
County Hall
West Bridgford
Nottingham
NG2 7QP

General Form of Judgment or Order

In the County Court at Nottingham	
Claim Number	3NG01396
Date	30 July 2015



RICHARD JAMES MAHER	1st Claimant Ref
NOTTINGHAMSHIRE COUNTY COUNCIL	1st Defendant Ref SJE/031489
NOTTINGHAMSHIRE COUNTY COUNCIL	1st Part 20 Claimant Ref
REBECCA EMILY MAHER	1st Part 20 Defendant Ref
RICHARD HIND	2nd Part 20 Defendant Ref KKM/MAA/HINDR3-1
SALLY HIND	3rd Part 20 Defendant Ref
MARGARET ANN PEARCE	4th Part 20 Defendant Ref

Before District Judge Potts sitting at the County Court at Nottingham, 60 Canal Street, Nottingham, Nottinghamshire, NG1 7EJ.

Upon hearing the Claimant (Mr Maher) in person and counsel for both the Defendant (Nottinghamshire County Council) and the 2nd and 3rd Part 20 Defendants (Mr and Mrs Hind)

Upon the court considering that the Claimant (Mr Maher)'s claim has been brought not just for the benefit of himself but also for the benefit of the land of the 1st Part 20 Defendant (Miss Rebecca Emily Maher)

And upon the Claimant (Mr Maher) asking for permission to appeal

IT IS ORDERED THAT

1. the Claimant (Mr Maher) stands in breach of paragraph 1(iv) of the order of 14th October 2014;
2. Accordingly pursuant to the order of 14th October 2014 the court declares and orders that:

a) the route of Greasley Footpath No. 32 identified and described in the Definitive Map and Statement prepared and maintained by Nottinghamshire County Council pursuant to the provisions of the Wildlife and Countryside Act 1981 as it affects the property 199A Main Street, Newthorpe Nottingham, title to which is registered at the Land Registry under Title No. NT230541, is as marked on the plan attached hereto marked Plan 'B' and coloured in yellow;

b) the route of Greasley Footpath No. 40 identified in the Definitive Map and Statement prepared and maintained by Nottinghamshire County Council pursuant to the provisions of the Wildlife and Countryside Act 1981 as it affects 199A Main Street, Newthorpe, Nottingham, title to which is registered at the Land Registry under Title No. NT230541, is as marked on the plan attached hereto marked Plan 'B' and coloured in yellow;

c) the Claimant (Mr Maher) and the First Part 20 Defendant (Miss Rebecca Emily Maher) shall jointly and severally pay the costs of the Defendant (Nottinghamshire County Council) and of the 2nd and 3rd Part 20 Defendants (Mr and Mrs Hind) to be assessed by detailed assessment on the standard basis if not agreed;

3. Permission to appeal refused.

Dated 21 July 2015

DOCUMENT 3

Reasons for allowing or refusing permission to appeal (including referral to the Court of Appeal (Civil Division)), and information concerning routes of Appeal

The judge must complete this form on allowing or refusing an application for permission to appeal at a hearing or trial

Title of case/claim MAHER - v - NOTTINGHAMSHIRE COUNTY COUNCIL

Case/claim no 3 NG01396

and others

Heard/tried before (insert name of Judge) DISTRICT JUDGE POTTS

Date of hearing/trial 21 JULY 2015

Nature of hearing/trial ADJOURNED CASE MANAGEMENT HEARING

Result of hearing/trial (1) CLAIMANT STANDS DEBARRED (2) DECLARATIONS IN TERMS OF THE ORDER OF 14.10.14 (3) PERMISSION TO APPEAL REFUSED

The judgment/order is [X] Final [] Not final

[] An appeal lies from this judgment/order to the CIRCUIT JUDGE

OR

[] No appeal lies from this judgment/order

Claimant's/defendant's application for permission to appeal [] Allowed [X] Refused

[] Refused as being totally without merit (There is no right to renew this application at an oral hearing.)

continued over the page

DOCUMENT 3

Brief reasons for decision to allow or refuse appeal
(to be completed by the Judge):

NO GROUNDS STATED FOR APPEAL;
CASE MANAGEMENT DECISION;
NO REALISTIC PROSPECT OF APPEAL;
WHILE MY DECISION MAY OR MAY NOT
BE ONE AN APPEAL COURT WOULD MAKE
IT WAS A DECISION THAT A JUDGE AT
FIRST INSTANCE MIGHT REASONABLY MAKE;
THE CLAIMANT SIMPLY WANTS A REHEARING
BEFORE A DIFFERENT JUDGE.

If refused

An application for permission to appeal may be made to the Court of Appeal

Judge's signature

Note: The appellant must file a copy of this completed form at the appeal court with the appellant's notice when issuing the appeal.

Do you consider the appeal should be referred to the Court of Appeal (Civil Division)?

Yes No

If Yes, please indicate which of the following criteria apply:

- There appear to be conflicting authorities
- There is a point of practice and procedure of significant importance
- There is a point of general principle and importance in the development of the substantive law
- A number of appeals on similar points suggest that a theme, or trend, is developing which the Court of Appeal needs to consider

Additional reasons

