

17288

RA Ref. RAP 5

W.C.C.
COUNTRYSIDE RECREATION
21 SEP 2009



Warwickshire
County Council

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form
C

Environment & Economy
PO Box 43, Shire Hall,
Warwick, CV34 4SX

**Application for Modification Order
to ADD a Route to the Map**

Applicant's Full name *Ramblers Association (Warwickshire Area)*
 Address *20 S G Wallsgrove*
26 Priory Road
 Town *Warwick* Postcode *CV34 4ND*
 Daytime Tel: _____ Date of Birth _____
 Occupation _____

I hereby apply for an Order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statement for the County of Warwick by **Adding** the following route as a -

Public Footpath / ~~Public Bridleway~~ / ~~Byway Open to All Traffic*~~

As shown on the attached map.

** delete as appropriate*

Please describe the route carefully and explain exactly where the route starts (from a point on a road or path), the line it follows and exactly where it finishes. Colour the line of the route on a 1:2500 scale Ordnance Survey Map and mark the position of any obstructions, fences, stiles or gates. Also note the width and surface type of the route at several points if it varies. If possible give an Ordnance Survey 8 figure grid reference for the start and finish of the route.

Grid References:
 Start.....*SP 492 757*.....Finish.....*SP 493 756*
 Description : *From path RB5 to Jubilee Street*

Signed:

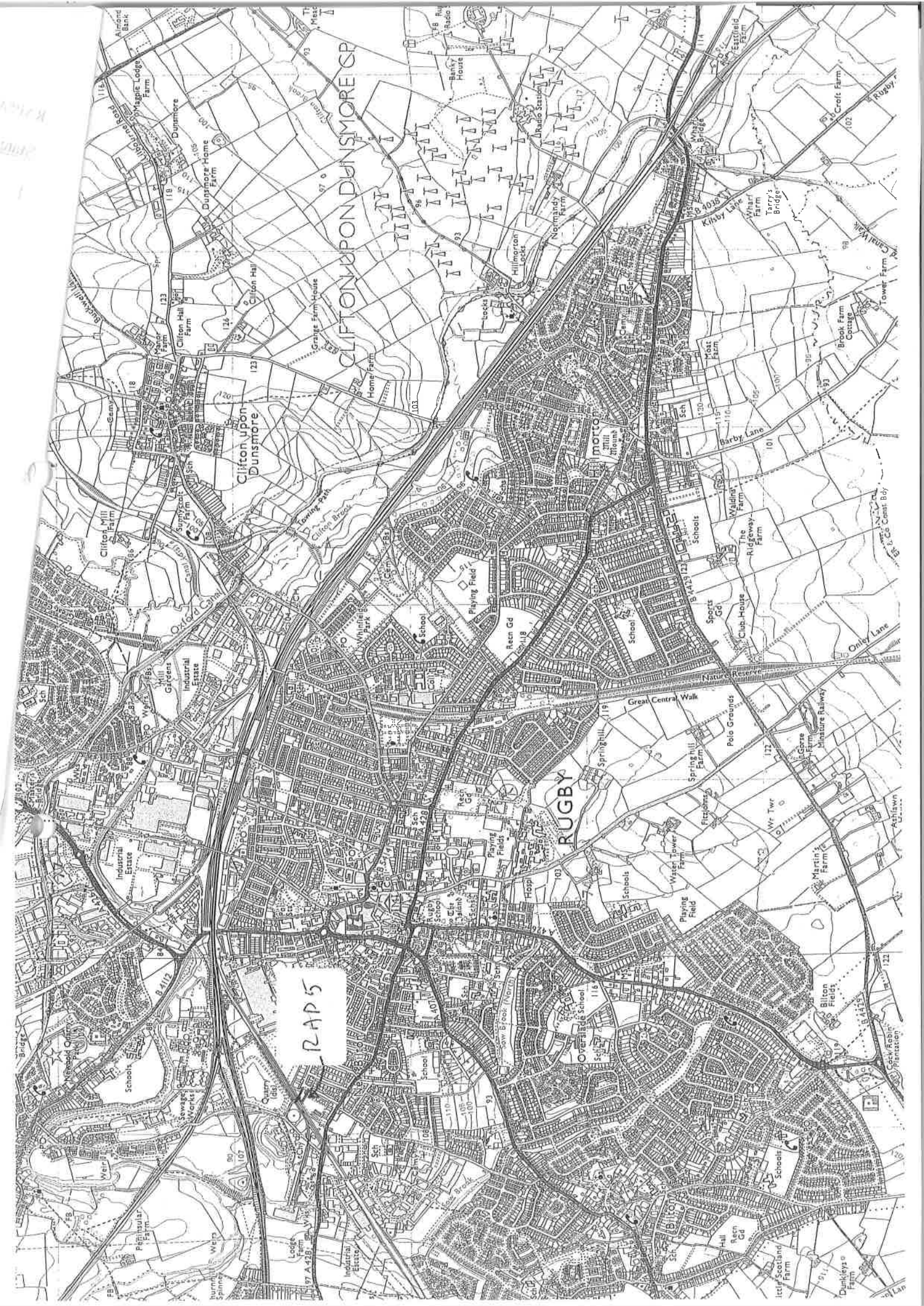
Office use only

Date: *21/9/09*

Please see overleaf

Statement of Evidence for Path Claim RAP 5

- 1 The section in Rugby was created by the Rugby Inclosure Award 1774 (held by the Warwickshire County Record Office at QS75/93) as the first public footpath, being 4 ft wide. It went from the cottages on West Leys on the Track it now goes to a stile in Bilton, being the footway from Rugby to Lawford'. West Leys still exists as a road.
- 2 The section in Bilton is shown on the map with the Bilton Tithe Apportionment 1840, including part of what is now recorded on the Definitive Map as RB5 (WCRO: CR569/34). It is labelled as going "To Rugby".
- 3 The path is shown, with a continuation going north-west (the original route of path RB4), on the deposited plans for the Rugby, Leamington and Warwick Railway 1845, where it is labelled as going "To Long Lawrford". (WCRO: QS111/174) The Book of Reference describes parcel 4 as 'grass and footpath', parcel 3 as 'grass, Bridle Road, and footpath', and parcel 7 as 'grass and footpath'. In all cases the owners include the Survey or of Highways.
- 4 The path is also shown on the deposited plans for the Rugby, Warwick and Worcester Railway 1845, with its continuation north-west (part of path RB 5) (WCRO: QS111/175). The Book of Reference lists parcel 5 as 'pasture and public foot road and bridle road', and parcel 6 as 'pasture and foot road'.
- 5 The path is shown on the first edition of the Ordnance Survey six inch map (1887) as going from the north-west end of Bridget Street, which follows the line of the old footpath.
- 6 The original line of this section of the path is shown on the Ordnance Survey 'Pathfinder' 1/25,000 sheet SP47/57: Rugby, published in 1983, but has been moved slightly to the south on the Ordnance Survey 'Explorer' sheet 222: Rugby and Daventry, published in 1999. The larger scale maps show it was diverted between 1957 and 1967 due to the construction of an adventure playground. This new line of the path has street lights and a tarmac surface. The local authority, however, have stated that they no longer have a copy of the Order (see attached letter).
- 7 It is considered, therefore that it is reasonable to allege that the route subsists as a public footpath and should be recorded as such on the Definitive Map.



RAPS

y, why do you believe this route is a public right of way ?

see attached, typed, statement of evidence

List your evidence and references

please add a separate sheet if you need more space