

Claim: F1069

App: MR402R



Warwickshire
County Council

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

form

D

Planning Transport & Economic
Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SX

**Application for Modification Order
to UPGRADE a Route on the Map**

Applicant's Full name **Mr. KENNETH STEPNEY**
Address **60 BISHOPTON LANE**
STRATFORD UPON AVON
Town **WARWICKSHIRE** Postcode **CV 37 9JW**
Daytime Tel: [REDACTED]
Occupation **RETIRED CIVIL SERVANT** Date of Birth [REDACTED]

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 **Upgrading -**

^{R40a} ^{R40}
In whole **Q** in part * the route No. ^{R40} ^{R40a} (as shown on the Definitive Map)
from a Public ~~Footpath~~ / Bridleway*
to a Public ~~bridleway~~ / Byway open to all traffic* *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.

R40 PART AND R40a

Grid References:

Start..... **42255-84045**..... Finish..... **4095-8275**.....

Description: *That part of R40 from the northern end, leaves the county road C26 adjacent to the site of the medieval village of Hopsford at GRID REF: SP42255-84045 on SP 485W. It follows a single track farm track across two cattle grids to a farmyard. From the exit gate of the farmyard onto a single dirt, hedged track and under the railway bridge and canal aqueduct to its junction with R40a and is just over one kilometre long at this point: at GRID REF: SP41470-83261. R40a now continues as a rough concrete track for a further 600 metres to a gate on the B4029 at GRID REF: 4095-8275.*

Signed: [REDACTED]
Date: **1.4.05**

Claim No.

Office use only
Please see other side

Making your Application

Note on this application form all the documents you are using as evidence, attach copies if possible and any photographs.

Please ask anyone who wishes to give evidence that they have used the route, to fill in a "Witness Statement" Form G. Collect the completed forms and return them with your application.

Before returning your application form you must send to each owner / occupier / tenant of the land crossed by your claim:

- ◆ A Notice of Application for Modification Order - **Form A**

Return your completed application form to the County Council with.....

- ◆ A certificate of Notice of Application for Modification Order - **Form B**, listing the owners / occupiers to whom you sent a copy of Form A
- ◆ Evidence - documents, plans, photographs, witness statement forms (form G)

*You may find it helpful to keep a copy of all the information you send to the County Council.

Send your application to -

Warwickshire County Council, Countryside Recreation, Unit 11, Montague Road,
Warwick, CV34 5LW. Telephone: (01926) 413421 or 413415

Evidence in support of your claim -

Documents 13. (number of pages attached)

Please attach a copy of any documents or maps you are using as evidence. Include the document reference number and title and give the full name and address of the Library, Record Office, University or person in possession of the original document.

Photographs _____ (number attached)

These should be securely mounted on card, stout paper or in plastic wallets, each should be clearly numbered and labelled with the date and place it was taken and if possible please show the location of the photograph on a plan.

Witness Statement Forms (G) _____ (number attached)

Please number each form and make a list with the name, address and number of each person who has completed a "witness statement"(G) in support of your application, on *this* form (C).

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

R40 & R40a are shown on old maps in the County Records

office under M17 1800-1849

On canal surveys

On railway plans

List your evidence and references

MAPS IN THE RECORDS OFFICE MA 1844 MAP OF WARWICKSHIRE
1831-1834 BY THE ORDNANCE SURV OFFICE TOWER OF LONDON.
MA 1989 OF 1835 BY COLBY GREENWOODS 1822 NE END.
MAPS IN MY POSSESSION GREENWOODS 1822. C/S RUGBY NO 73
1920. C/S LEAMINGTON & NORTHAMPTON 1925. COBURN
BROTHERS 1930; C/S 1:25000 SP48 1950 COVENTRY & RUGBY
1" TO A MILE SHEET 132. 1954 & 1961. COPIES ENCLOSED.

DOCUMENTS. OXFORD CANAL SURVEY 1810 Z 464/14 PLAN SHOWS
RHO OVER THE RAILWAY, THE NEW CANAL AND THE OLD CANAL AND
ON TO HOPSFORD MILL. PLAN FOR THE IMPROVEMENT OF THE
LINE OF THE OXFORD CANAL 1839 CR 1365 SHOWS RHO IN COLOUR
FROM THE B 4029 OVER THE NEW CANAL AND ON TO HOPSFORD
MILL AT NO 7. PAGE 3.

WITHYBROOK THE APPORTIONMENTS 30/9/1844 CR 569/264
RHO SHOWN IN COLOUR NO. 24 & 25 & MARKED FROM SHILTON.
CR 569/270 NO 24 DESCRIPTION "THE LANE" PAGE 2.

STATEMENT NO 25 DESCRIPTION "THE LANE" PAGE 3.

GRAND JUNCTION RAILWAY 1836 Q5111/97 REFERRED TO
PUBLIC ROAD OR HIGHWAY TO COVENTRY, HOPSFORD IN THE
PARISH OF WITHYBROOK.

MANCHESTER AND BIRMINGHAM EXTENSION RAILWAY NOV/1839.
Q5111/121/1 PAGE 8 ALSO PAGE 46 REF NO 91. BOOK OF REFERENCE
NOV 1839 Q5111/121/2.3 PAGE 177. PARISH OF ANSTY REF: 18
OCCUPATION CARRIAGE ROAD & PUBLIC HIGHWAY OWNER
DEAN & CHANCERS OF WINDSOR AND SURVEYOR OF HIGHWAYS.
OF ANSTY. ALSO REF: 3 PAGE 183 PARISH OF WITHYBROOK.
PUBLIC HIGHWAY AND OCCUPATION CARRIAGE ROAD OWNER
SURVEYOR OF HIGHWAYS OF WITHYBROOK AND TRUSTEES OF THE
LATE THOMAS ARNOLD.

.please add a separate sheet if you need more space

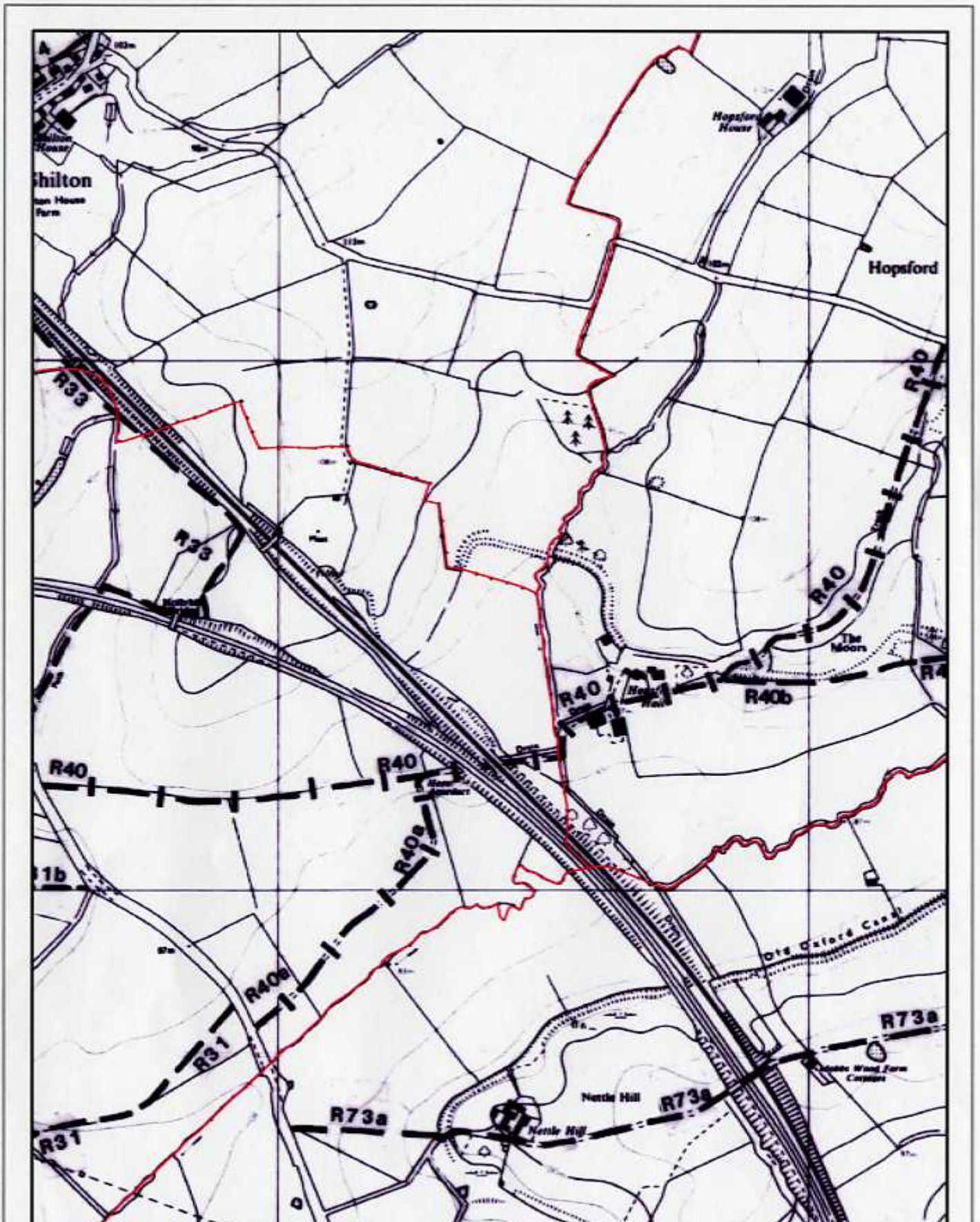
List your evidence and references

STAFFORD AND RUGBY RAILWAY FEB/1840 QS 111/123/3
BOOK OF REFERENCE PAGE 179 THE SAME AS QS 111/121/2.3.
TRENT VALLEY RAILWAY 30/NOV/1844 QS 111/144/1
PAGE 34 PARISH OR EXTRA-PAROCIAL PLACE OF
COMBE FIELDS R40 3406A REF: 18 IN ANSTY R40 SHOWN
REF: 3 IN WITBYBROOK OWNER SURVEYOR OF HIGHWAYS
AND THE EARL OF CRAVEN.

STONE & RUGBY RAILWAY 29/2/1840 QS 111/124/1
PAGE 59 REF: 91 ALSO PAGE 10. BOOK OF REFERENCE QS 111/124/2.3
REF: 3 PAGE 183 PARISH OF WITBYBROOK PUBLIC HIGHWAY
AND OCCUPATION CARTRIDGE ROAD OWNER SURVEYOR OF THE
HIGHWAYS AND TRUSTEES OF THE LATE THOMAS IRNOLD.
ALSO REF: ¹⁸PAGE 174 PARISH OF ANSTY OCCUPATION ROAD
AND PUBLIC HIGHWAY OWNER THE DEAN AND CANONS
OF WINDSOR AND THE SURVEYOR OF HIGHWAYS OF ANSTY
TAMWORTH AND RUGBY RAILWAY NOV 1844 QS 111/143/1
PAGE 13 REFS 3 & 5 BOOK OF REFERENCE QS 111/143/2-3
PUBLIC HIGHWAY AND OCCUPATION CARTRIDGE ROAD OWNER
OF HIGHWAY ETC AS PER QS 111/124/ REF 3 FOR
WITBYBROOK. AND REF 18 FOR ANSTY.

NOTE THE LAND FOR CR 1365 WAS PURCHASED FROM THE EARL
OF CRAVEN AS THE CANAL AND RAILWAY RUN PARALLEL
IT R40 & R73a HE MAY NOT BE THE OWNER IN
QS 111/144/1 TRENT VALLEY RAILWAY 1844.

.please add a separate sheet if you need more space



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