



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 STEFNEY  
Address 60 BISHOPTON LANE  
STRATFORD UPON AVON  
Town WARWICKSHIRE Postcode CV37 9SW  
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 -**

In whole / ~~in part~~ \* the route No. R78 & R78b (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.

Map SP47

Grid References:

Start 4040-7725 Finish 4235-7850

Description: FROM THE A428 THERE IS A 9 METRE WIDE HARD SURFACE TO HOUSES  
IT CONTINUES AS A 4 TO 5 METRE WIDE HARD PICKED TRACK THROUGH WOODS  
ON EACH SIDE, THERE IS A BRATE SOME 1/2 MILE ALONG THE TRACK.  
IT THEN CONTINUES BETWEEN TREES FOR A 3 METRE WIDE GOOD HARD  
PICKED SURFACE TO JOIN R78b SOME 1 MILE FROM THE A428 IT  
THEN NARROWS TO 2 METRES WIDTH BETWEEN THE TREES. AFTER SOME  
1.5 MILES THE SURFACE TURNS TO A HARD PICKED STONEY SURFACE  
ON TO THE E2072 AND D2072 TO THE LENGTH SOME 2 MILES

SEE ENCLOSED PHOTOGRAPHS AND MORE DETAILED DESCRIPTION.

Signed: [REDACTED]  
Date: 21.9.04

Claim No. RU45(6) 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** 6 (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** 7 (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)** 1 (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 ?**

- THE ROAD IS SHOWN ON A NUMBER OF OLD MAPS HELD IN THE COUNTY RECORDS OFFICE REF: MA1800-1849
- THE ROAD IS REFERED TO AND SET OUT IN INCLOSURE AWARDS.
- RUBBY RURAL DISTRICT COUNCIL MINUTES.
- MAPS IN MY POSSESSION

List your evidence and references

a. MAPS IN THE COUNTY RECORDS OFFICE REF: MA 1800-1849.  
YATE'S 1787/8/9. SMITH'S 1804. CARY'S 1806.  
PIGOT'S MAP. GREENWOOD'S 1822.  
FIRST EDITION O/S 1" TO 1 MILE 1834  
FIRST EDITION O/S 6" TO 1 MILE 1886.  
MAP OF THE PARISH OF BRINKLOW 1838. Z262a & b.

b. BRINKLOW INCLOSURE AWARD, 1742. REFS  
QS 2893/12. CR 2893/8. CR 2893/9. Z844(SM)  
REFERRED TO AS ITEMS AT THE END OF THE DOCUMENT.

1) b1. THE PUBLIC ROAD FROM NEWCOMBE LANE.  
b2. THE ANCIENT ROAD FROM COW LANE INTO MONK RIDING.  
60' WIDE.

b3. THE PUBLIC ROAD FROM BRETFORD LANE END  
VIA MONK RIDING TO THE RUGBY ROAD AND ON (R78c)  
TO COVENTRY VIA GREAT HEATH TO GREEN LANE 60' WIDE.  
(R78)

c. RUGBY RURAL DISTRICT COUNCIL MINUTES  
CR 1523/5 1894-1898. CR 1523/6 1898-1901. CR 1523/7  
1902-1905. CR 1523/10 1911-1914. CR 1523/12 1917-1920.

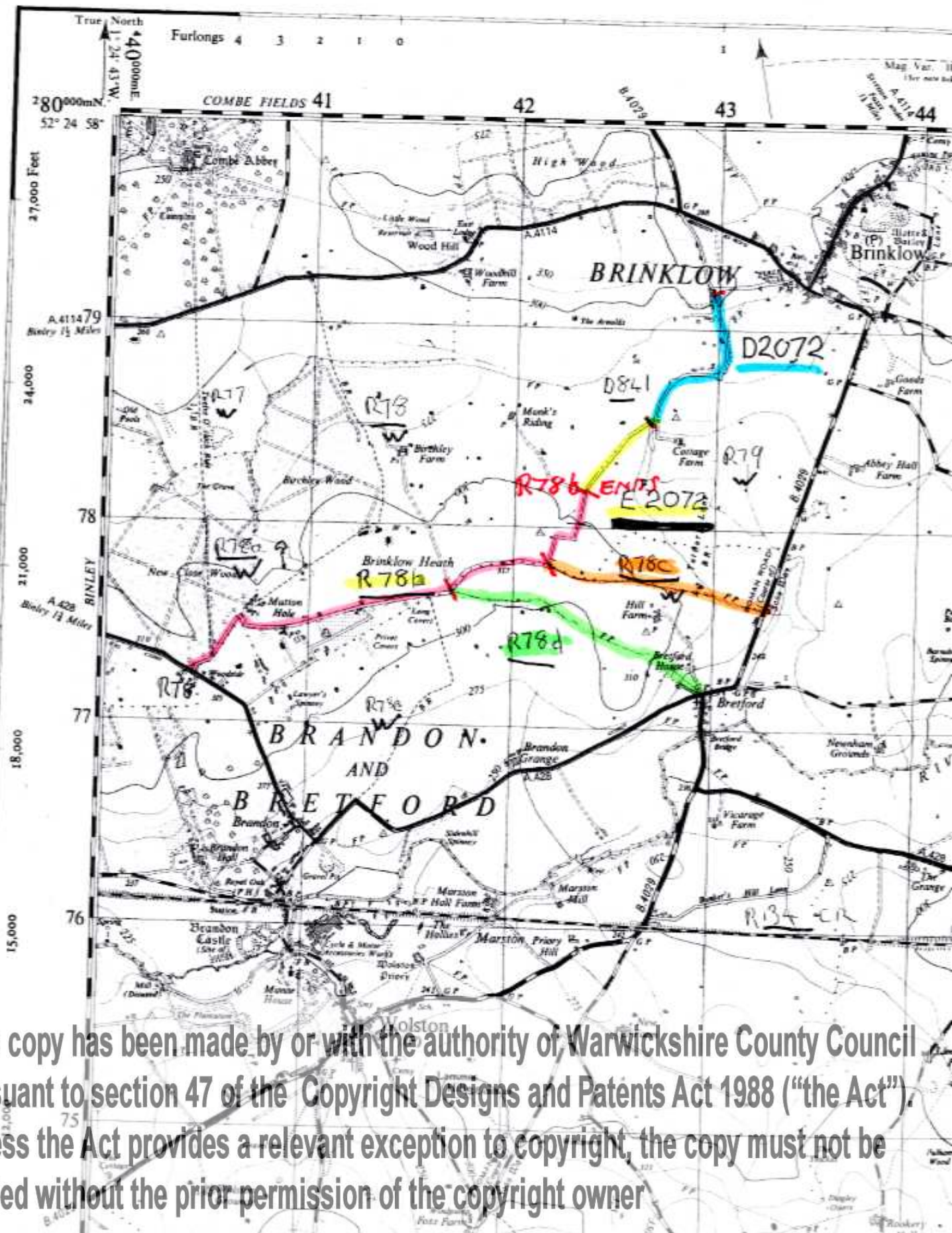
1) CR 1523/13 1920-1923. ALL REFER TO THE ROAD.  
(5) ENCROACHMENT. (6) THREAT OF LEGAL PROCEEDINGS.  
(7) HEATH ROAD WAS AWARDED HIGHWAY. (10) COMPLAINT  
ON THE STATE OF BRINKLOW HEATH RD.

d. COPIES OF MAPS IN MY POSSESSION ENCLOSED.  
GREENWOODS 1822 O/S 1" TO 1 MILE 1834 O/S RUGBY NO 73  
1" TO 1 MILE 1920. CORNISH BROTHER 1930.  
O/S 1:25,000 1951.

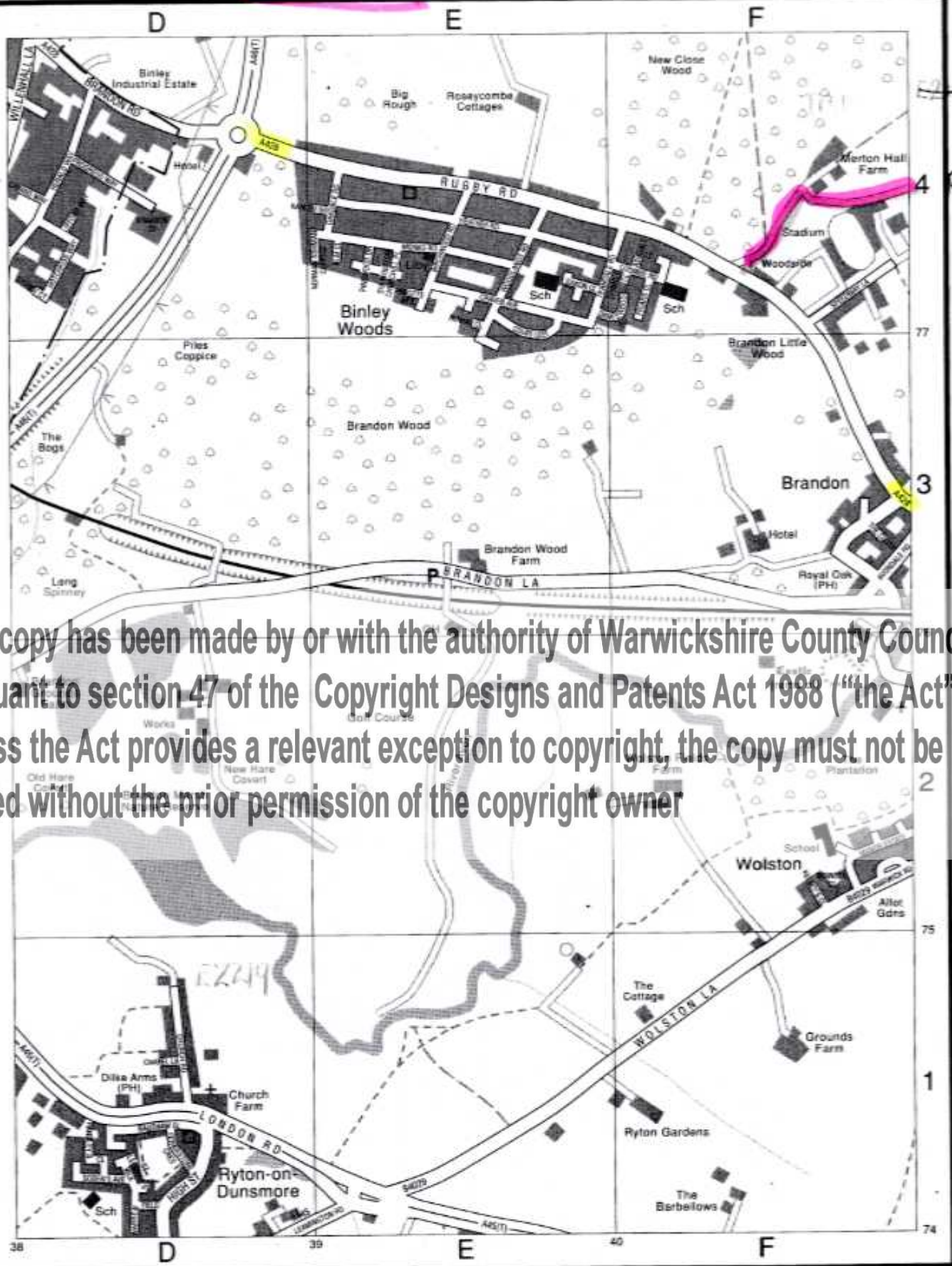
**List your witnesses**

MR R J CARVILLE  
75 SHILTON LANE  
COVENTRY CV2 2AB.

*please add a seperate sheet if you need more space*



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