



Warwickshire
County Council

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

form
C

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

Application for Modification Order to ADD a Route to the Map

Applicant's Full name **DAVID NOEL WATTS**
Address **59 BANBURY RD**

Town **STRATFORD UPON AVON** Postcode **CV37 7HW**

Daytime Tel: [REDACTED]
Occupation **Consultant**

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 **Adding** the following route as a -

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

As shown on the attached map.

** delete as appropriate*

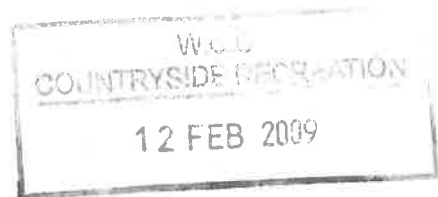
Please describe the route carefully and explain exactly where the route starts (from a point on a road or path), the line it follows and exactly where it finishes. Colour the line of the route on a 1: 2500 scale Ordnance Survey Map and mark the position of any obstructions, fences, stiles or gates. Also 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: **SP205456**

Start... **420678/254694** Finish... **254708/254694**

Description :

See attached description of route.



Signed:
Claim No.

Office use only

Date:

Please see overleaf

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:

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

Return your completed application to the County Council. This should include:-

- ◆ A copy of this form (C)
- ◆ A copy of form (B), *Certificate of Notice of Application for Modification Order* -, listing the owners / occupiers to whom you sent a copy of Form A
- ◆ Evidence - documents, plans, photographs (if applicable)
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 1 (number of pages attached) *Ordnance Survey SP2094NW*
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 0 (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) 27 (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 ?

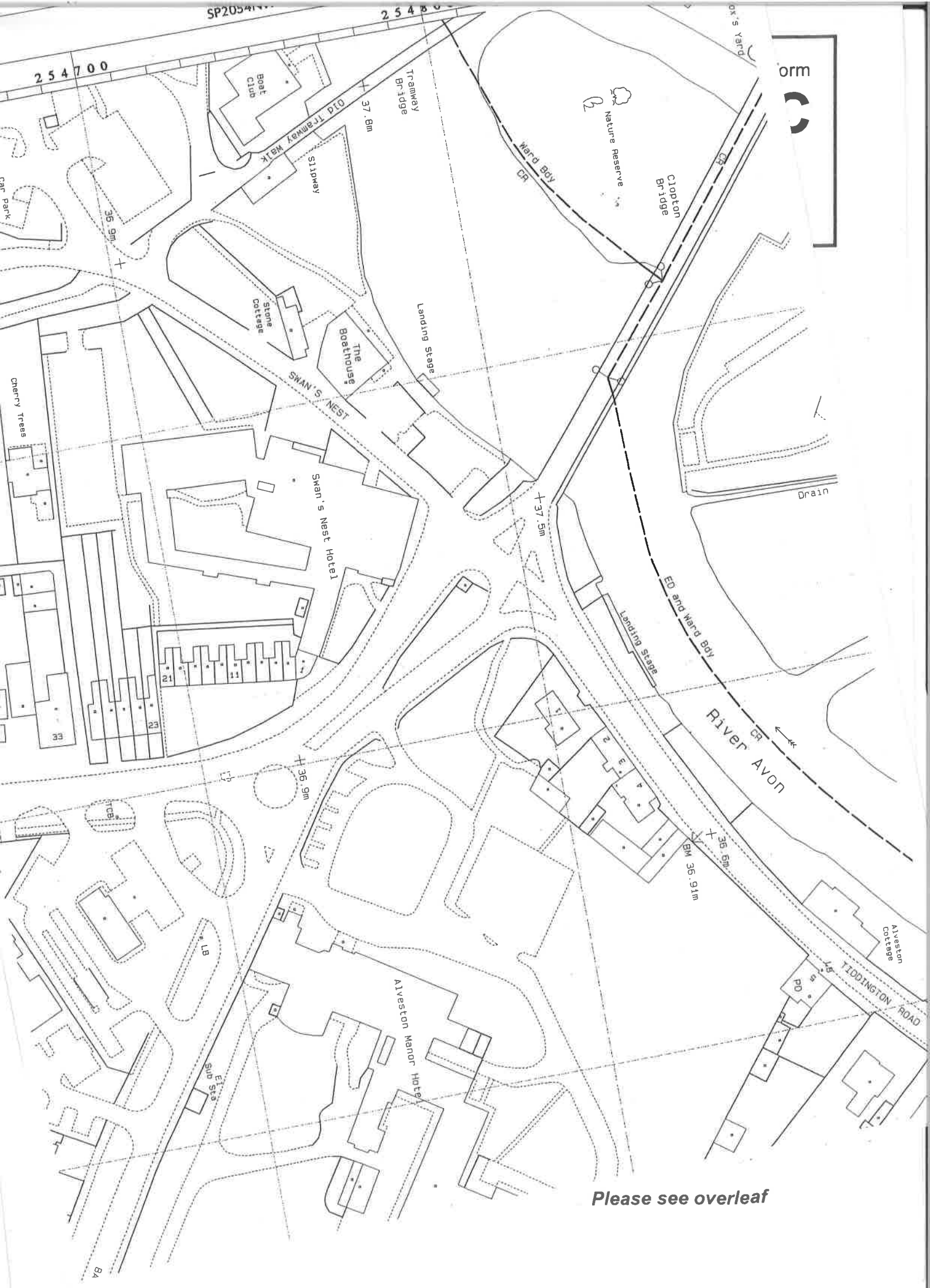
There is evidence from local residents, that the passage has been in continuous use since at least 1959 and before that time as far as can be ascertained.

List your evidence and references

1. Witness statements testifying to the use of the passage way for at least 20 years.
2. No notices posted to the extent effect that this passage way is private land and permission granted as a way through for pedestrians.

please add a separate sheet if you need more space

The path runs from the Shipston Road, close to the pedestrian crossing opposite the Shell petrol station, and follows the brick boundary wall of house number 23. For about half its length (about 19.5 metres), as it approaches the Victoria cottage on the right hand side, it is also bounded by a low metal chain link fence to keep pedestrians from the grassed area in front of the cottages. The path is approximately 1.3 metres wide until it reaches the section where the cottage end wall and the house wall are nearest to each other and the path narrows considerably to about 0.5 metre. A metal fence and gateway (which is locked during the evening to prevent access) has been erected at this point. A sign at chest level, attached to the gate support on the RHS, gives the opening/closing times. The ground is very uneven and rutted and is often waterlogged after heavy rain. The puddles can be several centimetres deep and spread across the whole path the surface is basically packed earth covered with a thin layer of stone chippings most of which have been ground into the earth. After passing through the metal gate the path runs between the house brick wall/garden wall of number 23 on the LHS and cottage end brick wall/2 metre high wooden garden fence on the RHS for a further 15.5 metres or so until passing through a 2 metre high wooden garden type gate (which is locked during the evening to prevent access). The width of the path is approximately 1.2 metres wide at the end point (a sign on the fence post at knee height gives the opening/closing times) and from there passes into the Swans Nest hotel car park at the rear of the hotel. The pathway then enters the hotel car park, taking a mid line to avoid parked cars in the parking bays on either side and avoiding any other service vehicles, past the non functioning barriers to the hotel car park and onto the short joint hotel car park/The Cherry Trees' access road to emerge onto the Swans Nest road directly opposite the pedestrian bridge over the Avon.



Please see overleaf