



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 *Ramblers Association (Warwickshire Area)*  
 Address *c/o 54 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 088 736* ..... Finish... *SP 086 729* .....

Description :

*From Forshaw Heath Lane generally south to SD 272  
and known as Juggins Lane*

Signed:   
Claim No. 

Office use only

Date: *1/8/01*

**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** \_\_\_\_\_ (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?

forms part of a continuous road shown  
on two title maps, most now  
shown as a footpath or bridleway

List your evidence and references

see attached, typed, statement

Statement of Evidence for RA Claim SD105

- 1) The claimed route is known as Juggins Lane and (before the construction of the M40 Motorway) continued as a footpath and bridleway (SD272 and SD293). The Side Roads Order for the Motorway described the route as a private road. It is presumed this was because it was not on the records as a public highway since, logically, it is a simple continuation of the accepted public footpath (and the anomaly of the cul-de-sac bridleway).
- 2) The northern half of this continuous route originally lay in Solihull and the Tithe Apportionment of 1840 (County Record Office CR328/44) shows the whole route from Forshaw Heath to the then parish boundary at OS ref. 086723 as a road. It is unnumbered, as all acknowledged public roads, and is not separated from them. The schedule in the Book of Reference includes the heading "Public Lanes and Roads" under which it states "The whole quantity of land subject to tithes used as Public Lanes and Roads and Highways" is 191 acres 31 perches. The summary lists "Public Roads Lanes and waste" as being 201 acres 1 rood 17 perches, none being subject to a rent charge.
- 3) The identification of Juggins Lane as a public road is supported by the Tithe Apportionment for Tanworth in Arden, 1842 (CR328/53) which also shows SD293 and SD272 up to the parish boundary (OS ref. 086723) as an unnumbered road (as all other acknowledged public roads). The Book of Reference lists all "Common and Roads", at the end, as not being subject to tithes.
- 4) There is no record of any Highways Order closing or downgrading any part of the route and, therefore, it is considered that the present Juggins Lane is still a public highway and, therefore, should be recorded as a byway on the Definitive Map.
- 5) The route is shown on all large scale Ordnance Survey maps as a continuous route and (except for the southern part) is excluded from the adjoining ownerships.

Ref. DefMapSch9Jul02.1

**Schedule 9**

**Form of Certificate of Service of Notice of Application for Modification Order**

Wildlife and Countryside Act 1981

Title of Map: Warwickshire Definitive Map

Certificate of Service of Notice of Application for Modification Order

To: Warwickshire County Council (Countryside Recreation)  
of: Unit 11, Montague Road, Warwick CV34 5LW

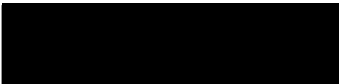
We, the Ramblers Association, Warwickshire Area  
c/o S. G. Wallsgrove, Area Footpath Secretary, 26 Priory Road, Warwick CV34 4NA

~~hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and  
Countryside Act 1981 have been complied with.~~

Are unable to comply with the requirements of paragraph 2 of Schedule 14 for the following  
reason(s):

The northern half of Juggins Lane is excluded  
from the adjoining land, as shown on the Land  
Registry

Dated: 1/8/04

Signed: 

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