



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 SG Wallsgrave*
26 Priory Road

Town *Warwick* Postcode *CV34 4NA*

Daytime Tel: _____
 Occupation _____ Date of Birth _____

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 398 546*.....Finish.....*SP 378 544*.....

Description :

From Knightcote generally west to SM119, Gaydon

Signed: *SG Wallsgrave*
Claim No. _____

Office use only

Date: *11/5/05*

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 ?

The route was awarded in both the Burton
Dassett and Gaydon Enclosure Awards and
was claimed under the 1910 Finance Act

List your evidence and references

see attached, typed, statement of evidence

Statement of Evidence for Southam Claim No. 7b

- 1) This path was created by the Burton Dassett (Northend and Knightcote) Inclosure Award 1772 (County Record Office ref. QS75/44) in which it is the 13th awarded footpath. This is described as a footpath from the Westend of Knightcote Town Street over the allotments to Sir Robert Ladbroke and George Grenville to the stile into Gaydon at the bottom of the furlong called Hens Nest. These allotments can be identified by reconstructing the map of the Award. The second allotment to George Grenville, as impropietor of part of the tythes, also refers, when describing the responsibilities for fencing the allotments, to the east boundary as lying "across the footway from Knightcote to Geydon". The allotment to Sir Robert Ladbroke, in describing the fences, also refers to the "footpath leading to Geydon". A copy of the reconstruction map has been deposited at the County Record Office and shows the majority of the path being on Sir Robert Ladbroke's allotment and the west part on George Grenville's allotment.
- 2) The continuation of the path to the west, in Gaydon parish, was created by the Gaydon Inclosure Award of 1759 (QS75/61), in which it is the second awarded footway. It is described as going "From the Comon Town Street near Geydon Inn through the allotment to Thomas Burden in the track it now goes to the stile at Knightcote Hedge near Bolland Gate is the footway leading from Geydon towards Knightcote". The width of the path is given as to be 4 feet. The line of this path must be the, now extinguished, line of SM119a since the parish boundary crossing point is fixed, as the Inclosure Awards are of different dates.
- 3) The deposited railway plan of 1845 (QS111/178) lists the claimed path as part of entries No. 34 and 35 in Burton Dassett. The Book of Reference describes No. 34 as being "Grass and Footway", with the owners being Lord William de Broke and the Surveyor of Highways. The 35th entry is described as being "Arable and Footway", with the owners being given as H. T. Hope and the Surveyor of Highways. This reference to the Surveyor of Highways shows that the path was considered to be a public highway while the plan confirms the actual route of it.
- 4) The whole route, including SM1191, is shown the large scale Ordnance Survey maps, including the first edition of the 6 inch to a mile map of 1886, although more recent editions omit the west end.
- 5) There are two hereditaments identified in the returns under the 1910 Finance Act, namely Nos. 95 and 201. The Field Book shows that deductions for public paths were claimed in both cases, that for No. 95 being £120 and that for No. 201 being £10. These figures are generally consistent with the length of path across them, No. 95 having two paths across it, this being the longest. (See our SMClaim 7a for the other path.)

BISHOP'S ITCHINGTON CP

BURTON DASSETT CP

SMCT Knightcote

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