

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, Stone Hall,
Warwick, CV34 4BK

Application for Modification Order to ADD a Route to the Map

Applicant's Full name *Ramblers Association (Warwickshire Area)*
 Address *40 S G Wallsgrove*
26 Priory Road
 Town *Warwick* Postcode *CV34 4NA*
 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 1:25000 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.....Finish.....

Description:

*Stub of road from W95/WAAA north to village road
gravelled surface*

Signed: *S G Wallsgrove*
Claim No

Office use only

Date: *11/2/03*

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 *to be known as*
- ◆ 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 ?

..... shown on Tithe Map as a road

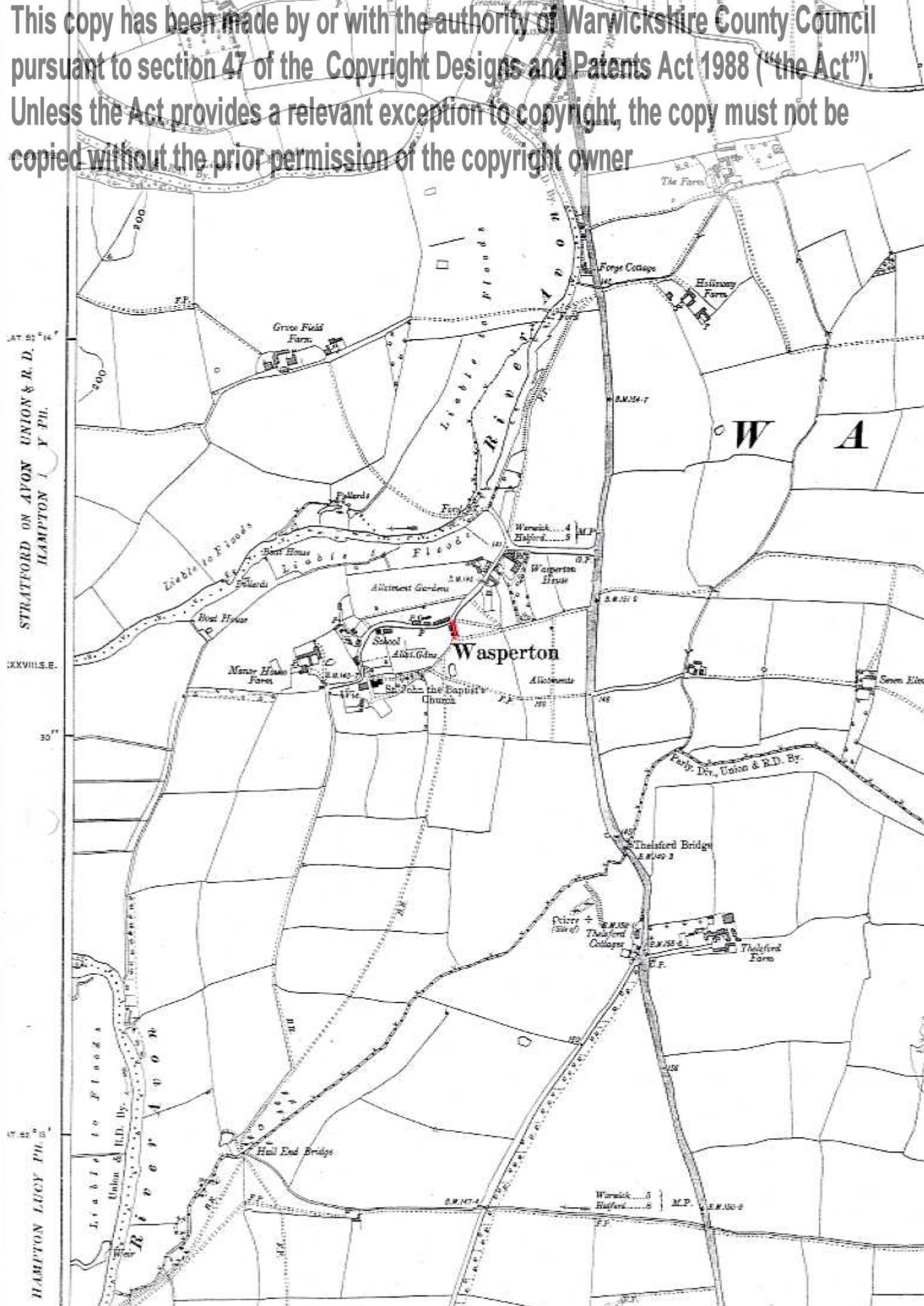
List your evidence and references

..... see attached, typed, statement

Statement of Evidence

- 1) This short track, which forms the vehicle access to College Farm, also forms the link to the junction of paths W98 and W99a, which suggests that this stub was believed to be a highway when the Definitive Map was originally prepared.
- 2) This stub is shown on the 1st edition of the Ordnance Survey one inch map of 1831 as part of the road network in the area, and on all subsequent large scale Ordnance Survey maps up to the present day.
- 3) The Tithe Apportionment map of 1841, for Wasperton, (County Record Office CR569/256) also shows the route as an integral part of the road network, being part of item 220. This is described in the Book of Reference as "Town Streets and Lanes" under the general heading of Roads and Wastes, none of which were titheable. This strongly suggests that the road was a public highway.
- 4) In addition, this Tithe Map also shows the routes of "footways", all of which are now recorded on the Definitive Map as public paths, with only slight changes to their alignments in some cases. In the present case, path W98 and part of W99a from the main Wellesbourne Road to just south of the present College Farm is shown as a private road going to the Vicarage, with W99a (then on an alignment slightly within the field) clearly shown as crossing this driveway and terminating on the end of the stub road. This clearly supports the case for the stub being a public road.
- 5) The map prepared under the 1910 Finance Act shows that this stub was excluded from the adjoining landownerships, a situation confirmed by the landownership information shown on planning applications.

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