



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 SA Wallsgrove*
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 31586088*.....Finish.....*SP 32906000*.....

Description :

From path W114, generally south-east, to SM66a on parish boundary of Bishops Tachbrook

Signed:

SA Wallsgrove

Claim No. ~~2636~~

Office use only

Date: *28/8/03*

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
- ◆ 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?

route is continuation of SM66a (cul-de-sac)
and part was diverted by Quarter
Sessions Diversion order

List your evidence and references

see attached, typed, statement of evidence

Statement of Evidence

- 1) the claimed route is the continuation of public path SM66a, and there is no special feature on the boundary which could have formed the destination for SM66a as a cul de sac.
- 2) Part of the claimed route is also the result of a Quarter Sessions Diversion Order in 1841 (County Record Office QS32/2 Ep.1842), which firmly establishes that the route is a public right of way since there is no evidence of any subsequent closure in any of the relevant records.
- 3) The whole route is shown on the Tithe Apportionment map of 1844 (CR569/236), except for the northern end where it shows the pre-diversion route. The path, as with all the other paths on the map, is labelled as a footpath and these other paths are generally either on the Definitive Map or are the subject of claims.
- 4) The same route is also shown, and labelled as a "Foot Path", on the estate map of 1836 (CR1886/M36), except for the northern end, where it crossed some arable fields (described as such in the Quarter Sessions Diversion Order). This omission may be due, therefore, to the map showing an unofficial, practical, diversion rather than the true legal route, a route subsequently established as the official route.
- 5) Parts of the route are shown on the large scale Ordnance Survey maps, the same as for SM66a.
- 6) This documentary evidence is supported by 8 signed statements from elderly local residents, all of which were collected in 1977 (see RA refs. I48 to I55).

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