



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 *cl 5 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: 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 242640* Finish..... *SP 243636*

Description :

'Green Lane' from Henley Road (opposite Warborough Farm)
South to Norton Lindsey road

Signed: *S G Wallsgrove*
Claim No. _____

Office use only

Date: *2/8/03*

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 : *no known own*
- ◆ 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 is shown on the Title Map
and all other maps

List your evidence and references

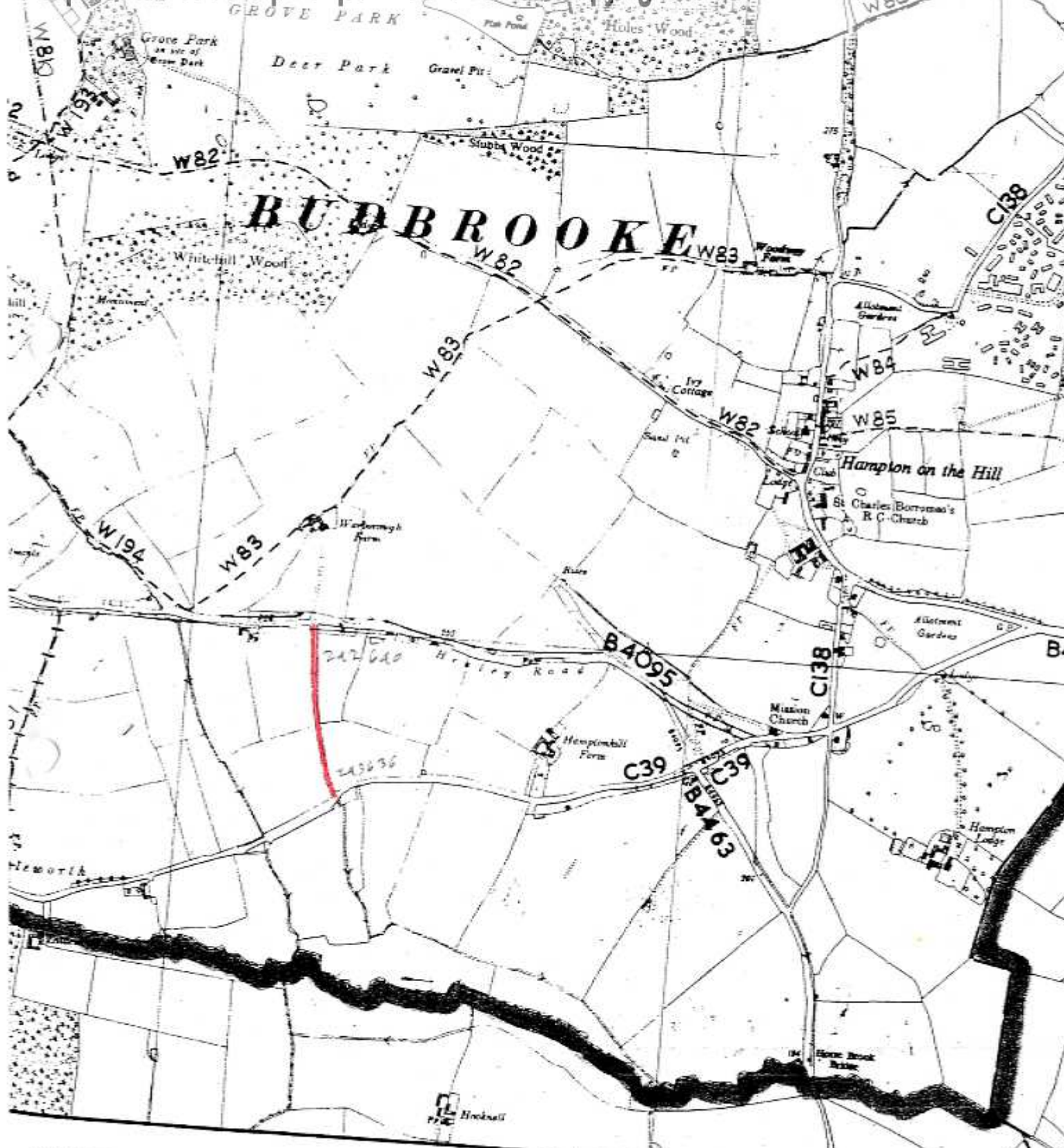
see attached, typed, statement

please add a separate sheet if you need more space

Statement of Evidence

- 1) the earliest evidence for this road is the 1788 estate map of the Manor of Budbrooke (County Record Office CR 895/101). This shows the route as a road in the same way as all other roads in the parish, with a central, coloured, track turning from one road into the next, with the road to Henley at the north end and the road to Norton Lindsey at the south end. No barriers are shown.
- 2) The two fields on the east side of the route belonged to the Trustees of King Henry VIII Charity. The estate map of 1807 (CR1618/WA6/178) shows it in exactly the same way as the roads at each end, namely that to Henley in Arden and that to Claverdon, in that it is not only not separated from these roads in any way but shows that the hedges were on the field side of the ditches.
- 3) The Grove Park Estate Map of 1828 (which shows the whole parish) (CR895/105) also shows the route as an integral part of the road network, linking the Henley and Norton roads. Again, no barriers are shown.
- 4) The first edition of the Ordnance Survey one inch map of 1831 also shows the route as an integral part of the road network.
- 5) The status of the route is confirmed by the Budbrooke Tithe Apportionment of 1842 (CR569/48) which again shows the route coloured yellow as an integral part of the road network, with no barriers across it. The Book of Reference lists these "Public Roads and Wastes", which are recorded as covering 33 acres 3 perches, as being not subject to tithes.
- 6) The status, and ownership, of the road are further confirmed by the deposited plans of the Rugby, Warwick and Worcester Railway 1845 (QS111/175) which identifies the route as item 16. The Book of Reference lists this as "Highway", in the ownership of the Surveyor of Highways, in the same way as the road to Norton Lindsey (entry 15) and the road to Henley (entries 21 and 27).
- 7) The land to the east of the two fields of the Henry VIII Charity belonged to Weales Exhibition Charity and the estate map of 1868 (CR170/44) shows the southern end of this route, even though it did not adjoin the site. Presumably, this was because it was considered to be an important identifying feature.
- 8) This Charity land was sold in 1878 (when it was referred to as a sale by the Governors of Kings Schools, Warwick) and the plan (CR237/541/5) again labels the Henry VIII Charity land and shows the the southern end of the route.
- 9) The road is shown on all subsequent Ordnance Survey maps, of all scales.
- 10) The route is shown on the maps prepared under the 1910 Finance Act as being excluded from the adjoining hereditaments, thereby strongly supporting the case that it is a public road.
- 11) There has been no closure or extinguishment of the road either in Quarter Sessions or advertised in the London Gazette.

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SCALE: 6 inches = 1 mile