



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 *clo 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 18607094* Finish *SP 18637092*

Description :

*From Biomehall Lane, Lapworth east-south-east along
south side of picnic site + carpark to canal
4 feet wide*

Signed:

SA Wallsgrove

Claim No.

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 ?

Part of path created by Inclosure Award,
whole path used by public for many
years.

List your evidence and references

see attached, typed, statement of evidence.

Statement of Evidence

1) The Tithe Apportionment of 1843 (County Record Office CR328/30) shows a road, coloured in the same way as all other roads on the map and of a similar width to those roads, going south from the line of the present Old Warwick Road to the edge of the plot with a canal building on it. It is included in the Book of Reference as part of the waste land of the parish, and as not titheable. This suggests, quite strongly, that it was a public highway.

2) The Harborough Banks Inclosure Award of 1863 (QS75/69) enclosed this waste land and laid out various public roads and public paths. The first public path was coincident with the accommodation road now known as Bromehall Lane and the second was described as being 4 feet wide and

“commencing at the Northwest corner of the Allotment numbered 11 and extending thence along the North side of the said Allotment to and terminating at a stile at the Northwest corner of the said Allotment numbered 11”.

The map shows this to be the western part of the claimed route.

3) The whole path is shown on all the large scale Ordnance Survey maps since that time, namely from the first edition of the 6 inch and 1/2500 scale maps to the present day.

4) This path, as recorded in our 1977 claim, had a notice at its Bromehall Lane end saying “path to canal”, a feature accepted in a letter by the then manager of the National Trust (who then managed the restored canal), as submitted herewith (RA ref. I64).

5) This path goes east from Bromehall Lane to the canal and has the British Waterways yard buildings on the south and the wooded carpark and picnic site of the District Council on the north. The physical features of the path, namely its well worn surface and lack of obstructing overgrowth, show that it is well used.

6) This documentary evidence is also supported by four signed statements from local residents, all collected in 1977 (see RA refs. I64, I87, I88, and I93).

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