

Ref. DefMapSch7Jul02.1

Schedule 7

Form of Application for Modification Order

Wildlife and Countryside Act 1981

Title of Map: Warwickshire Definitive Map

To: Warwickshire County Council

Of: Unit 11 Montague Road, Warwick CV34 5LW

We, The Ramblers Association, Warwickshire Area
c/o S. G. Wallsgrove, Area Footpath Secretary, 26 Priors Road, Warwick CV34 4NA
hereby apply for an order under section 53(2) of the Wildlife and Countryside Act 1981
modifying the definitive map and statement for the area by :

~~[deleting the [footpath][bridleway][byway open to all traffic].~~

~~from:~~

~~to:~~

[adding the [footpath][bridleway][byway open to all traffic]

from: north end of path L11 (SP 328667)

to: Vallem Road Leamington Spa (SP 328669)]

[upgrading][downgrading] to a [footpath][bridleway][byway open to all traffic] the
[footpath][bridleway][byway open to all traffic]

from:

to:

[varying][adding to] the particulars relating to the [footpath][bridleway][byway open to all
traffic]

from:

to:

by providing that:

and shown on the map accompanying this application.

We attach copies of the following documentary evidence (including statements of witnesses)
in support of this application:

List of documents: see attached, typed, statement

Dated: 27/7/02

Signed: saw

Ref. LBClaim3Jul02.1

Statement of Evidence for the Path from L11 (by Rawnsley Road, Leamington Spa) (SP328667) across Taylor Avenue, to Valley Road (SP326669)

- 1) The whole of this route (with L11) was the subject of a Diversion Order in 1933 (see QS47/334 held by the County Record Office). Quarter Sessions refused to confirm (i.e. enroll) the Justices application as the diversion route already existed. This confirms that the route was public and, since there have been no other Orders relating to this section, it still exists.
- 2) The path was retained and improved when the Taylor Avenue/Gresham Avenue development was built, as shown on Building Plans CR2487/699, /735 and /749 held by the County Record Office.
- 3) CR2487/735 is a layout plan and labels this route as 'FP' at each end with a continuation arrow. It is labelled "Footpath maintained 5 feet wide".
- 4) CR2487/749 is an application, with plans and notices, for the roads and sewers and shows this path coloured, as all the estate roads and other paths. This route is labelled "Public Footpath 5' 0" wide" and the plan is stamped "approved" 13 January 1936.
- 5) The District Council, as agents for the Highway Authority, accepted on 12 June 1997 that the above approval was the adoption of the coloured routes shown thereon.
- 6) The route is shown as being publically maintainable on the list of maintainable highways map kept by the District Council as agents.
- 7) This path is also the continuation of path L11, which is already shown on the Definitive Map due to a, more recent, diversion of that section of the path.
- 8) This route should therefore be added to the Definitive Map as a 'legal event'.

27 July 2002

Schedule 9

Form of Certificate of Service of Notice of Application for Modification Order

Wildlife and Countryside Act 1981

Title of Map: Warwickshire Definitive Map

Certificate of Service of Notice of Application for Modification Order

To: Warwickshire County Council

of: Unit 11, Montague Road, Warwick CV34 5LW

We, the Ramblers Association, Warwickshire Area
c/o S. G. Wallsgrove, Area Footpath Secretary, 26 Priory Road, Warwick CV34 4NA

hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and
Countryside Act 1981 have been complied with.

Are unable to comply with the requirements of paragraph 2 of Schedule 14 for the following
reason(s):

The successors in title to the original development
are not known

Dated: 27/7/02

Signed: SCW

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