



Warwickshire
County Council

Wildlife & Countryside Act 1981
Definitive Map and Statement of Public Rights of
Way for Warwickshire

form

1

Application for a Modification Order

Rights of Way, Communities,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

To: Warwickshire County Council

Of: PO Box 43, Shire Hall, Warwick, CV34 4SX

I/We: ROGER LANDER

Of: WEST LODGE, NEW ROAD, TEMPLE GRAFTON, WARWICKSHIRE
B49 6NY

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

~~Deleting * the Footpath / Bridleway / Restricted Byway / Byway Open to all Traffic *~~

~~from to~~

Adding * the Footpath / Bridleway / Restricted Byway / Byway Open to all Traffic *

from POINT A to POINT C [ATTACHED MAP]

~~Upgrading / Downgrading * to a Footpath / Bridleway / Restricted Byway / Byway Open to all
Traffic * the Footpath / Bridleway / Restricted Byway / Byway Open to all Traffic *~~

~~from to~~

~~Varying / Adding to * the particulars relating to the Footpath / Bridleway / Restricted Byway /
Byway Open to all Traffic *~~

~~from to~~

~~by providing that~~

* delete as appropriate

and shown on the map accompanying this application.

I/We attach copies of the following documentary evidence (including statements of witnesses)
in support of this application (see overleaf **).

Signed .. [redacted] Dated 07/05/2014

The accompanying map must be at a scale of 1:25000 or greater (e.g. 1:10000)

Please see overleaf

**** Evidence in support of your claim -**

Documents 14 (number of pages attached) Σ attachments to form 1a - see below }
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 4 (number attached) Σ attachments to form 1a }
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 (Form 4) 21 (number attached)
Please number each form and make a list with the name and number of each person who has completed a "witness statement" in support of your application, on *this* form.

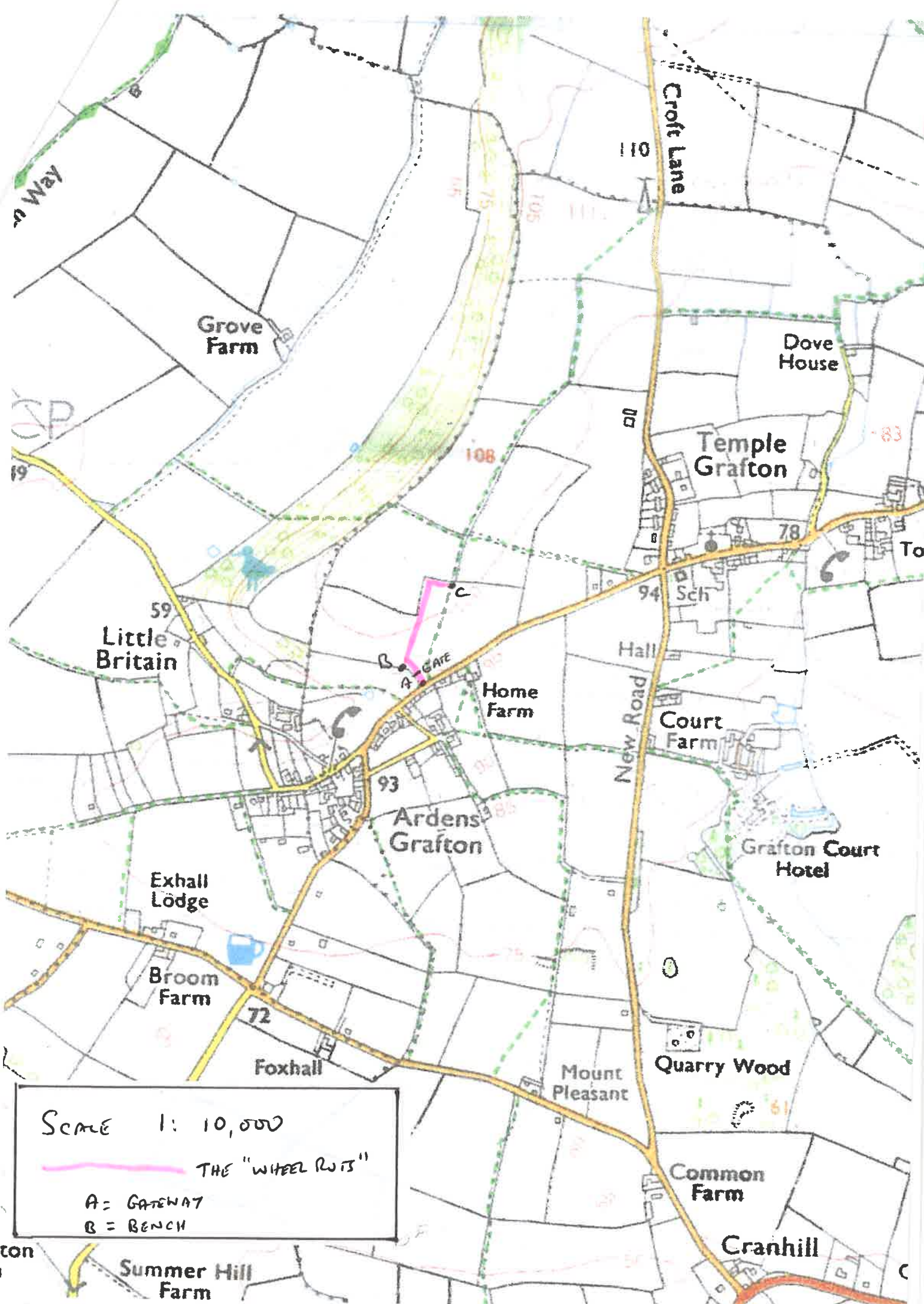
List your evidence and references (continue on a separate sheet if necessary)

Please refer to the attachments to form 1(a)


- Summary explanation for the application
- Exhibit A - The Graftons Way leaflet (relevant extracts)
- " B - Photograph of bench (refers to map point B)
- " C - Transcript of telephone conversation with Robert Atkins
- " D - e-mail from David Keays (leader of Temple Grafton Parish Council)
- " E - Photograph (taken by Au Chinn) of the sign post for the Graftons Way in 1989.

List your witnesses (continue on a separate sheet if necessary)

Refer to attached separate sheets



SCALE 1: 10,000

 THE "WHEEL RUTS"

A = GATEWAY
 B = BENCH

ton Summer Hill Farm



Wildlife & Countryside Act 1981
Definitive Map and Statement of Public Rights of
Way for Warwickshire

form

1a

Rights of Way, Communities,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

**Application for a Modification Order
(Supplementary Information)**

Name: ROGER LANDER
Address: WEST LODGE NEW ROAD TEMPLE GRAYTON
WARWICKSHIRE B49 6NY

The purpose of this form is to gain as much information about the route claimed as possible. Please complete the following sections in as much detail as you can.

1. Please explain why you believe the Definitive Map and Statement should be modified, for example, why you believe the route should be added to the map or should be upgraded.

- PLEASE REFER TO ATTACHED STATEMENT.
- THE ROUTE MARKED IN [REDACTED] ON THE ATTACHED MAP FORMS PART OF "THE GRAYTONS WAY" AND WAS BLOCKED AT THE GATEWAY NEAR POINT A IN NOVEMBER 2013. THE ROUTE HAS BEEN OPEN FOR OVER 50 YEARS WITHOUT ANY OBSTRUCTION OR NOTICES OF ANY KIND AND HAS BEEN RECOGNISED BY "WARWICKSHIRE COUNTY COUNCIL'S PARISH PATHS PARTNERSHIP (PP) SCHEME AND THE COUNTRYSIDE AGENCY (SEE THE LEAFLET - EXHIBIT A - THE GRAYTONS WAY)
- THIS APPLICATION IS SUPPORTED BY THE PARISH COUNCIL (SEE EXHIBIT D).
- SOME WITNESS STATEMENTS SUGGEST THAT THE PATH HAS EXISTED SINCE BEFORE WORLD WAR I i.e. CIRCA 100 YEARS

2. Please describe the route carefully:

- i) Start point... POINT A (MAP) Grid Reference... 117 545
(OPPOSITE "THE COTTAGE" ARLINGS GRAPTON)
- ii) End point... POINT C (MAP) Grid Reference... 118 547
(FOOTPATH SD10)
- iii) Are there any gates / stiles / bridges? Please describe where (it would be helpful to mark them on a map).

ONE FIELD GATE (REFER TO MAP).

- iv) Can the route be used today? NO.

If not:

- what prevents access along the route – please mark the locations on a map.

FENCE NEXT TO GATE (SEE MAP AND PHOTOGRAPH)

- are you aware of when any obstruction occurred?

NOVEMBER 2013

- v) Are there any signs / notices on the route?

NO

If yes:

- please mark their location on a map.
- in what year did the notices appear?
- what do they say?

- vi) What is the surface type of the route? It would be helpful to mark it on a map.

TRODDEN GRASS

Signed:



Dated:

07/05/2014

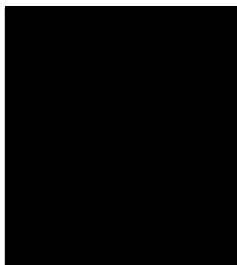
Summary Explanation for the Application

MAP POINT A

MAP POINT C

The "Definitive Map and Statement" should be modified by adding the "Route" shown on the attached map between references (...117...345...) and (...118...547...). The justification being the "Route" forms part of the "Grafton Way" (as evidenced below) and has been used frequently by the public as of right without obstruction since the 1950's. The following matters, in addition to those raised within witness statements, have particular relevance to this application:-

1. At the time of the Millennium (i.e. year 2000) the "Graftons Millennium Committee" published a leaflet which describes in detail, with a map, a walk (Walk 1) which clearly evidences the existence and the path of the "Route". In particular it states as follows.... "Walk through the village (ignoring a gate and stiles on your left) until you reach The Cottage, a house with a terraced garden on the right-hand side of the road. Here you should turn left through a farm gate and follow the path in the middle of the field....." (Exhibit A). The leaflet states as follows... "The production of these leaflets are part of the efforts of the Grafton Millennium Committee to celebrate the year 2000. They were supported by Warwickshire County Council's Parish Paths Partnership P3 Scheme and the Countryside Agency, to whom the Millennium Committee extends their thanks. "
2. At time of the Millennium, villagers erected a bench, location shown on the attached map at point (B). The bench remains in place today (19 March 2014). A photograph is attached as Exhibit B.
3. Robert Adkins, of Southerly Park Binton, is a previous landowner and he has confirmed that access over the "Route" has been available without any objection or obstruction from the 1950 s until the land was first sold which was approximately the middle of the period 2003-2010. (Exhibit C)
4. From the date of this first sale until the Route was obstructed for the first time in November 2013 access continued to be available, again without any objection or specific permission. The total period of access therefore approximates to somewhere in the region of 60 years.
5. Included as Exhibit E is a photograph showing the signpost with the words "Grafton Way" which used to be located at the entrance from the roadway, opposite the Old Meeting Hall (now a house called "The Cottage"). The photograph was taken by a local resident and is dated 1989.
6. We have the support (Exhibit D) of the Parish Council in making this application.
7. EXHIBIT F SHOWS THE NEW FENCE, ERECTED NOVEMBER 2013 WHICH PROHIBITS NOW THE USE OF WHAT WAS A WELL TRODDEN PATH



7/05/2014