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, Countryside Recreation*

Of: *Unit 11, Montague Road, Warwick*

We, The Ramblers Association, Warwickshire Area
c/o S. G. Wallsgrove, Area Footpath Secretary, 26 Priory 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: *K26 (OS ref. 2a2 ½711) to Clarkes Avenue (2a2711)*
to:]

[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 of evidence*

Dated: *28/8/02*

Signed: *SG Wallsgrove*

Ref. KClaim4Aug02.1

Statement of Evidence

1) This route has its origin as a medieval accommodation road from Warwick Road east in to the fields and was known as "Vials Lane" in an Extent of 1591 (County Record Office ref. CR576/1).

2) The west end of this route is shown as a lane on the estate map of 1692 (County Record Office ref. CR143/1).

3) The deposited railway plan of 1841 for the Warwick and Leamington Branch Railway (County Record Office ref. QS111/129/1+4) shows and lists the route as item 62: "occupation road", owned by the Surveyor of Highways (i.e. as a public highway).

4) The first edition one inch Ordnance Survey map of 1834 (with the railway added) shows the route as crossing the railway.

5) The Tithe Apportionment Map of 1849 (County Record Office ref. CR569/139) shows, and labels part of the route as "awarded road", with no number and no tithe payable. (This suggests is was unproductive waste and considered to be a public highway.)

6) The Board of Health map of c.1877 shows the route as a bridge over the railway.

7) The route is shown on all large scale Ordnance Survey maps.

8) The part of the route to the east of the railway is recorded on the Definitive Map as footpath K26.

9) The section to the west of the railway was rebuilt as Clarkes Avenue.

10) The route is shown on the plan of the list of streets kept by the District Council as agents for the Highway Authority as being maintainable at public expense.

11) The claimed route is the section in the former exclude area between the west end of K26 across the railway to Clarkes Avenue, has a tarmac surface, cycle barrier, and 'no cycling' notices. It is well used by the public.

25/8/02

RA ref. K claim 4

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, Countyside Recreation

of: Unit 11, Montague Road, Warwick

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):~~

Dated: 28/8/02

Signed: SG Wallsgrove

LOADED AREA

K36   K23

K35

K35

K1

K38

K24

K20