

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: Farmer Ward Road, Kenilworth

to: Clarendon Road, Kenilworth (OS ref. 292714)

~~[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: S G Wallsgrove

Statement of Evidence

- 1) This route is an ancient path from the east side of Warwick Road eastwards through the fields to Windy Arbour.
- 2) The 1841 Warwick and Leamington Branch Railway deposited plan (County Record Office ref. QS111/129/1+4) shows, and labels, item 53 as "foot road to Stoneleigh" in a pasture.
- 3) The Tithe Apportionment Map of 1849 (County Record Office ref. CR569/139) shows and labels the section to the east of the claimed part as "footpath".
- 4) The route is shown on all large scale Ordnance Survey maps.
- 5) The area to the east of the railway was developed in the 1960's and the remaining section of the path, between Farmer Ward Road and the east side of the Railway (the boundary of the excluded area) was shown on the original Definitive Map as K24.
- 6) Path K24 was closed in 1964, presumably when a larger area (now grassed and with the footpath ramp along its north edge) was adopted as highway.
- 7) The bridge over the railway from Clarendon Road, with Farmer Ward Road, the grassed area, and the ramp, are shown on the map of the list of streets kept by the District Council as agents for the Highway Authority as being maintainable at public expense, a date of 18/6/91 being written on the map. This is presumably the date when the footbridge itself was adopted as highway.

25/8/02

Ref. DefMapSch9Jul02.1

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, 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 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 owner of the adopted highway between the railway
and Farmer Ward Road is not known*

Dated: *28/8/02*

Signed: *SG Wallsgrove*

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