

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. Wallgrove, 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: Castle Hill, Kenilworth
to: Clinton Lane, Kenilworth]

~~[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: 8/9/02

Signed: SG Wallgrove

Statement of Evidence

- 1) This path was created by the Kenilworth Inclosure Award 1756 (County Record Office ref. QS75/63), the second common footway being described as “one other foot way from Cripplegate Lane [now Clinton Lane] over one of the allotments hereinbefore allotted to James Roe in Priors Field and over one of the allotments hereinbefore allotted to Thomas Lucas thence to the top of Bull Hill [now Castle Hill] of the breadth of four feet”. (N.B. The allotment to Thomas Lucas has Malthouse Lane on the east and Castle Hill on the south.)
- 2) The path is shown on an estate map dated 12 September 1792 as going along the south edge of a field (parcel 5) now the site of Clinton Avenue and Denton Close. (Birmingham Reference Library ref. E12 = deed of 1746 from Lord Hyde to James Roe)
- 3) Part of the path is shown on the Board of Health drainage map of c.1877 on which it is coloured and labelled “footway to High Street”
- 4) The route is shown on all large scale Ordnance Survey maps
- 5) The planning applications for Denton Close (developed in two parts) show/label the path on the location/layout plans but outside the development sites (Held by Warwick District Council as KUDC 4251 and 4489 for the northern half and 5509 and 5753 for the southern half)
- 6) The route (except for Clinton Avenue) is shown as being maintainable at public expense on the map kept by the District Council as agents for the Highway Authority. (Clinton Avenue is presumably omitted since this is a private vehicular route, and should only be maintainable as a footpath.)
- 7) The route has a tarmac surface, street lights, and ‘no cycling’ notices, and is well used by the public.

RA ref. KClaim 8

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 Priors 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):

no known landowners

Dated: *8/9/02*

Signed: *S G Wallsgrove*

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