



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

form  
**C**

Environment & Economy  
 PO Box 43, Shire Hall,  
 Warwick, CV34 4SX

**Application for Modification Order  
 to ADD a Route to the Map**

**Applicant's Full name** BUDBRIDGE PARISH COUNCIL  
**Address** CL. MRS S BUSH, CLERK TO BUDBRIDGE PARISH COUNCIL  
17 HICKS CLOSE  
**Town** WARWICK **Postcode** CV 34 5ND  
**Daytime Tel:** 01921 495533  
**Occupation** PARISH CLERK **Date of Birth** X 16.3.1970

I 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 **Adding** the following route as a -

Public Footpath / ~~Public Bridleway~~ / ~~Byway Open to All Traffic\*~~

**As shown on the attached map.**

\* delete as appropriate

Please describe the route carefully and explain exactly where the route starts (from a point on a road or path), the line it follows and exactly where it finishes. Colour the line of the route on a 1:2500 scale Ordnance Survey Map and mark the position of any obstructions, fences, stiles or gates. Also note the width and surface type of the route at several points if it varies. If possible give an Ordnance Survey 8 figure grid reference for the start and finish of the route.

**Grid References:**

**Start**.....SP 65 2643.....**Finish**.....SP 65 2648.....

**Description :**

See attached extract from Ordnance Survey Map (Appendix 1)  
 The route starts from land believed to be common land ("The Green") off Old School Lane, near to the junction with Hampton Road, and passes through a wooden gate ( photo 1 Appendix 2) at the side of a gated entrance to a field known as "Charity Field".  
 The route proceeds between allotments to the east and Charity Field to the west, (photos 2 to 4 Appendix 2) over a wooden stile, (photo 5 Appendix 2) where the allotments terminate, across pastureland close to the boundary with the Charity Field to the west and over another wooden stile (photo 7 Appendix 2) to join the footpath on the Henley Road.  
 The path is approximately 200 yards in length, of which some 140 yards is bordered by the allotments and some 60 yards crosses the pastureland.  
 See photographs of path and stiles attached as Appendix 2.

**Signed:** [Signature]  
**Claim No.** MRS S BUSH

CLERK TO BUDBRIDGE PARISH COUNCIL

Office use only

**Date:** 30 October 2004

**Please see overleaf**

## Making your Application

Note on this application form all the documents you are using as evidence, attach copies if possible and any photographs.

Please ask anyone who wishes to give evidence that they have used the route, to fill in a "Witness Statement" Form G. Collect the completed forms and return them with your application.

**Before returning your application form you must send to each owner / occupier / tenant of the land crossed by your claim:**

◆ **Form A - Notice of Application for Modification Order**

**Return your completed application to the County Council. This should include:-**

- ◆ A copy of this form (C)
- ◆ A copy of form (B), *Certificate of Notice of Application for Modification Order* -, listing the owners / occupiers to whom you sent a copy of Form A
- ◆ Evidence - documents, plans, photographs (if applicable)  
Witness statement forms (**form G**)

\*You may find it helpful to keep a copy of all the information you send to the County Council.

### Send your application to -

Warwickshire County Council,  
Countryside Recreation,  
Unit 11, Montague Road,  
Warwick, CV34 5LW.  
Telephone: (01926) 413421 or 413415

### Evidence in support of your claim -

**Documents** 5 (number of pages attached)

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)

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 (G)** 16 (number attached)

Please number each form and make a list with the name, address and number of each person who has completed a "witness statement"(G) in support of your application, on *this* form (C).

**Briefly, why do you believe this route is a public right of way ?**

The path, which appears on OS map 1905 (see Appendix 3) is believed to have originally been a bridle way, used for transporting milk from a dairy farm in Hampton on the Hill to Henley Road and Warwick, foot and bicycle access to the school, post office and store and the allotments, horse riding and walking for leisure purposes.

The use of the path has changed over time, with the closure of the school, post office and store. However, there has been a significant increase in the local population since 1960s and 1970s and the path is now mainly used by allotment holders and for dog walking and leisure purposes.

Users of the path have never been challenged. Residents who have lived in the area for 30 years or more, and in some cases all of their lives, former tenants and a recent owner of the site regard the path to be a public right of way. It is believed the stiles were erected as recently as the year 2000.

**List your evidence and references**

**Appendix:**

- 1 Current OS map showing path (um)
- 2 Photographs over route of path showing stiles, and a metal gate, believed to have been erected in 2000 to replace old wooden gates which had largely disintegrated. These photographs taken in 2009 also show stock proof wire fencing believed to have been put in place in 2008 by the present owner of the pastureland adjoining the allotments.
- 3 1905 OS map showing path marked FP
- 4 Extract from 1926 OS map showing path marked FP
- 5 Photo of local police house – located on The Green near access to the path
- 6 1998 Definitive map showing dotted line of path
- 7 Extract from Severn Trent Deed of Grant dated 27 April 2000, Second Schedule (4) which gave Severn Trent the right of construction of access gates or stiles at the ends of the strip of land under which a service main was located
- 8 Witness statements from residents, including former tenants and former owners of land over which the path crosses