



Planning Transport & Economic Strategy, PO Box 43, Shire Hall, Warwick, CV34 4SX

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

form

C

Application for Modification Order to ADD a Route to the Map

Applicant's Full name

Penelope Association (Warwickshire Area)

Address

17-18 St. Andrew's Lane
Warwick, CV34 4SX

Town

Warwick

Postcode

CV34 4NA

Daytime Tel:

Occupation

Date of Birth

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 226485.....Finish.....SP 232477.....

Description :

From the north east end of St Andrew's Lane, Warwick
to the north end of St Andrew's Lane, Warwick

Signed:
Claim No.

→ CW [Signature]

Office use only

Date: 3/2/07

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 _____ (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 _____ (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) _____ (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 ?

Part was created by the Indian Act
and the whole route is shown on the
Title Maps, estate maps, and numerous
Survey maps

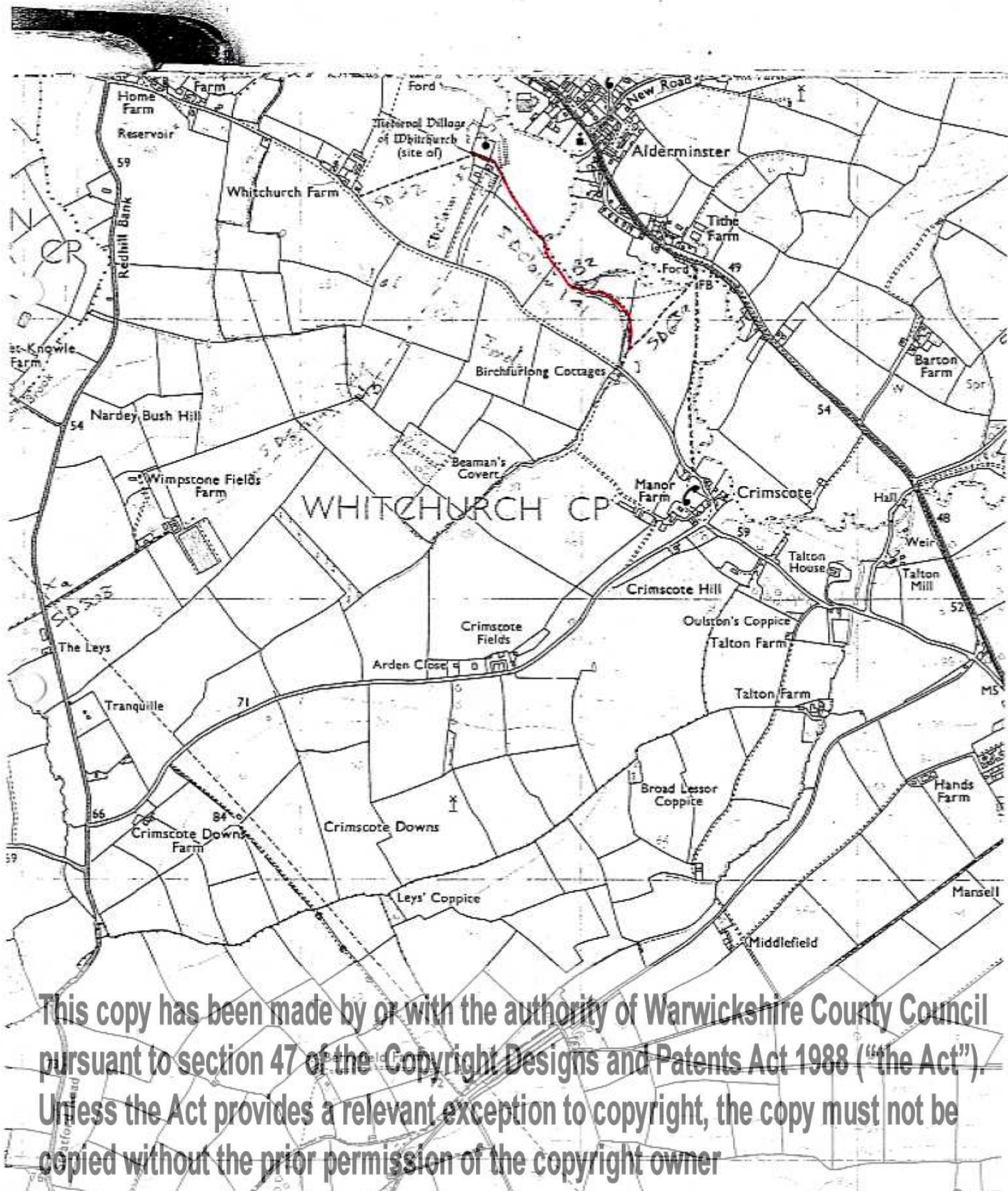
List your evidence and references

see attached, typed, statement of evidence

please add a separate sheet if you need more space

Statement of Evidence for RA ref. SD Claim 141 (Whitchurch)

- 1) The claimed path is first recorded on an estate map of 1810 (County Record Office CR936 (on shelf)). This map shows all the paths outside the area of common open fields, including the existing, recorded, path to the church (SD 62) by pecked lines. It also shows a short section of the claimed route (our ref. SD Claim 144) in the common field area.
- 2) The eastern section of this route was specifically created by the Whitchurch Inclosure Award 1869 (CRO OS75/127), and is shown as such on the accompanying plan, with the reference points at each end, namely 'J' and 'B2'. The text describes it as a "Public Footway 4ft wide 8 on the map – from Preston and Crimscote Road at J on the map north east along the boundary of the Hamlet of Crimscote to point B2 on the map". Point 'J' is opposite Birchfurlong Cottages at OS ref. 231478, with 'B2' being at the field corner by the river at OS ref. 230481.
- 3) The Tithe Apportionment Map for Whitchurch (Altered) 1873 (CR569/262) shows the same route as on the estate map of 1810, but with the whole length of the awarded path as well. It is considered that the awarding of the path and its depiction on this Tithe Map firmly establishes that the claimed route is a public path.
- 4) The whole route is continuously shown on all subsequent large scale Ordnance Survey maps from the first edition of the 6 inch map of 1884 (sheet 50NE), where it is labelled 'fp', onwards.
- 5) The forms for the 1910 Finance Act for much of the county have not been sorted in to parishes and, therefore, are not available.
- 6) The creation of part of the claimed route by the Inclosure Award, and the showing of the whole route on the Tithe Map, is almost the same evidence as was accepted in a successful case in North Warwickshire and, therefore, it is considered that there is more than sufficient evidence to reasonably allege that this path subsists as a public right of way.
- 7) There is no record of this path being legally closed or diverted, either at Quarter Sessions or subsequently.



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