

10 SEP 2001



Warwickshire  
County Council

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

form

C

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

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

Applicant's Full name *Ramblers Association (Warwickshire Area)*  
Address *clo S G Wallsgrave, 26 Priory Road*

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...*S.P. 28726 548*.....Finish...*S.P. 27986 550*.....

Description :

*From Lakin Road (Point A) along north side of railway (except section B-C which is part of our claim NB claim 1) to Cape Road (Point F), with steps at Cape Road*

Signed:  
Claim No.



Office use only

Date: *8/9/01*

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 created when railway built, part created by  
Warwick Borough Council.

whole route heavily used and generally well  
maintained

List your evidence and references

see separate sheet for argued evidence

### Documentary Evidence

This path is divided into a number of sections, historically, but forms one, continuous, path. The evidence will be given, and discussed, in sections. All references are to documents held by the County Record Office.

#### Section A - B

- 1) Henry VIII Charity Sale Catalogue 1877 (CR1185/10) shows, and labels as "Footpath", this section, which gave access to the station, with its continuation west labelled "From Priory Park". The path is shown with the symbol for a fence on its north boundary.
- 2) Ordnance Survey map 1887 edition (6 inch to one mile) shows path, with section B-C, as physically separated from adjoining land, but as one path. This section was the only access to the station from the north side of the railway.
- 3) Footpath Diversion Order 26 November 1912 (Midsummer Quarter Sessions 1913) (CR1618/W4/95(box2)) diverts the adjoining path onto Woodcoate Road (then under construction). The plan shows, and labels, this path as a footpath segregated from the development site but as an integral part of the path to the west (B-C), which is itself a diverted part of an ancient public footpath.
- 4) Ordnance Survey map 1925 edition (1/2500 scale) shows path as an integral part of the path to the west (B-C) with gaps in solid line of north side to allow for path access from Woodcote Road.
- 5) Road Traffic Regulation Act Notice 19 June 1998 (advertisement in Warwick Courier) is for the temporary closure of the "public footpath" between Roe Close and Lakin Road on application by Rail Track. It confirms that this section of the path is a public right of way since notice not required if the route was private.
- 6) The path is shown as adopted/maintainable on Highway Authority records (as part of whole path to Cape Road).

#### Section B-C

This is the subject of a separate claim as a diverted part of an ancient route (See WBClaim1).

#### Section C-D

- 7) Corporation Minute Book for 1898-1902 (CR1618/W22/13) p.157 under Court Leet Presentment: Priory Pool. Cttee considered presentment as to filling up one of pools and continue the Path from the Station to the Bridge in a straight line. Surveyor directed to prepare scheme and estimate (Cttee 12 December 1899)  
p.169: cttee do not recommend filling up of Pool (cttee 9 January 1900)  
p.262: Priory Pools. Complaint as to foul state of pools - recommend triangular pool nearest railway signal box be filled up (with concurrence of Railway Co. and other owners) and that Pathway to Station be straightened along the embankment (cttee 9 October 1900). (N.B. A signal box (SB) is shown on the 1887 Ordnance Survey map at 'D'.)

#### Section C-D-E-F

- (as above) p.325: Railway Footpath. Sub-cttee appointed to consider what steps should be taken to carry out scheme of carrying a footpath to connect the Cape Road with the present one along the line (cttee 9 July 1901)  
p.451/2: Railway Footpath. Sub-cttee reported and submitted plans and estimates and an

offer of the Railway Co to contribute £100 towards expences of the fencing reqd.  
Recommended: provided cost does not exceed £350, a footpath be formed as a continuation of the present one alongside the Railway into Cape Road and that the triangular pool be filled up in accordance with the plans prepared. (Cttee 11 February 1902)

8) Corporation Minute Book 1902-1905 (CR1618/W22/14):

p.29. Town Clerk instructed to apply to Local Government Board for leave to raise loans: [including for] construction of footpath along the GWR to connect Cape Road to path along Priory Pools at £350 (cttee 10 June 1902)

p.159. Agreement with GWR as to proposed Railway Footpath. Borough Seal to be applied (cttee 14 April 1903)

p.163. Surveyor to obtain estimate for railings for new footpath at the Priory Pools and complete at once that portion already in hand. (Cttee 12 May 1903)

p.205. Priory Pools Footpath: remaining part of Footpath to the Cape has made sufficient progress to warrant same being fenced from the railway (370 yards) + report needed on fencing reqd on Priory Pools side. (Cttee 8 September 1903)

p.215/6. Priory Pools: that new footpath be carried on to Cape Road by means of steps and, when completed, whole of pools be left unfenced (except along railway) and thrown open to the public (cttee 13 October 1903)

p.297. Priory Footpath: This footpath into the Cape Road having been completed, the Committee have directed that it should be open to the public and recommend that it should be called "Station Walk". Report adopted (cttee 10 May 1904)

9) Whole route (including A-B-C) shown as adopted/maintainable on Highway Authority records

10) Ordnance Survey maps: whole route shown on all maps from 1925 edition, where labelled 'FP' (footpath) and steps shown onto Cape Road.

#### Other evidence

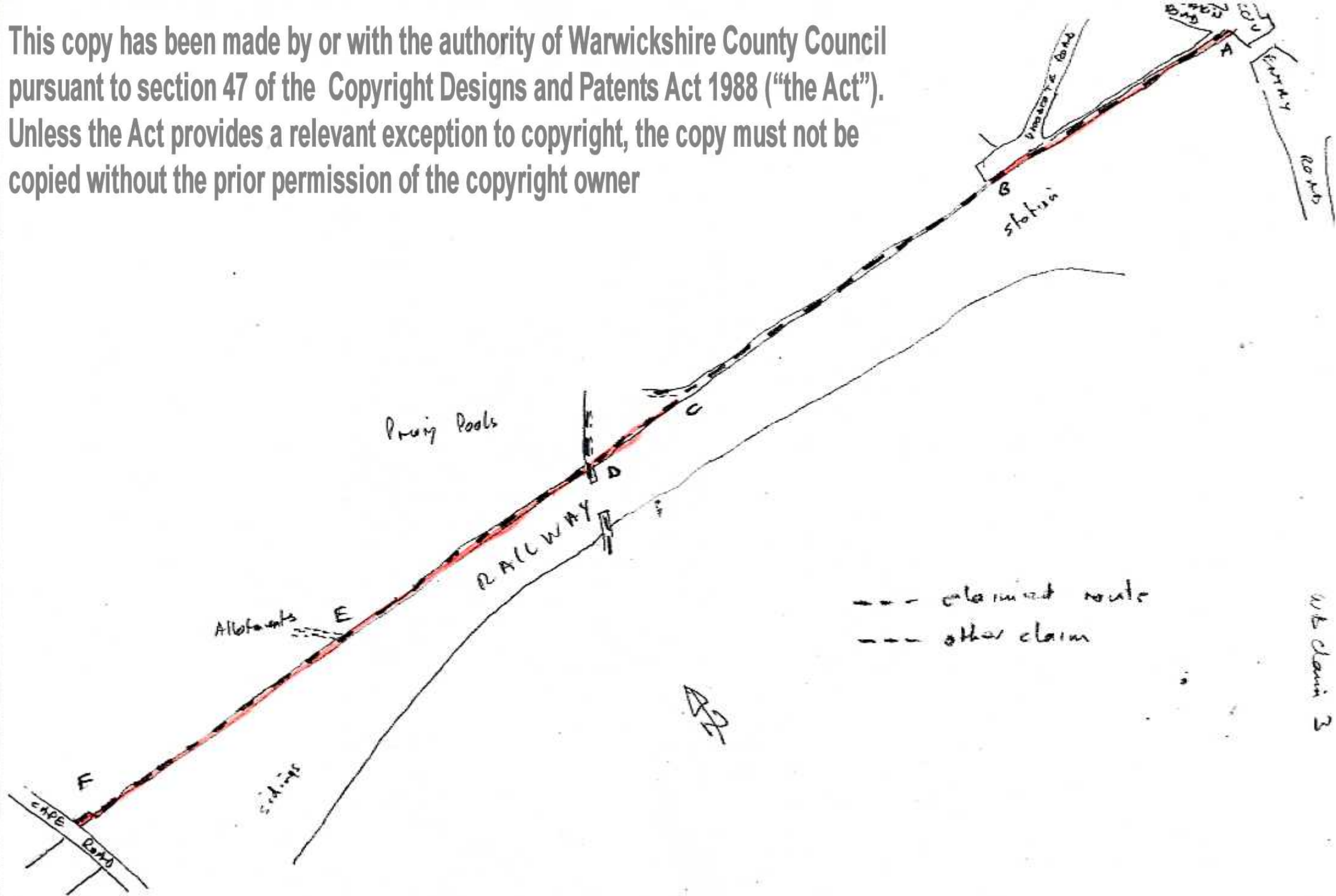
11) Section B-C-D-E-F surfaced with tarmac, but last section (E-F) not resurfaced when remainder done last. Section A-B has tarmac surface, but not full width of path since work done as surfacing of vehicle access behind houses in Woodcote Road.

12) Sections B-C-D-E-F lit by standard, Highway Authority, street lights.

13) Whole route (except E-F) heavily used by the public, E-F being less well used.

14) Vegetation along B-F kept cut back from railway and (section E-F) on allotments side.

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W/L claim 3