

My ref.: WBC claim 4

MZ 183 RA (4/18/01)



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 *c/o S.G. Wallsgrove*
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 *SP 29796460* Finish *SP 27896468*

Description :

*From West Street, Warwick (between 28 + 30) to Friars Street,
Warwick (between 23 + 25) via end of Monk Way.
claimed route is shown as A - B - E on map.*

Signed:

Claim No. 

Date: *31/8/01*

Office use only

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 ?

The route is well used by the public, is maintainable at public expense, and has been the subject of 2 Highways orders

List your evidence and references

see attached typed sheet

Documentary Evidence

N.B. All references are to documents held at the County Record Office.

- 1) The route is described in a deed relating to 30 West Street (CR1886/5812), dated 1679, as "lane to ground called the Fryers" (The land to the rear was the site of the Friary)
- 2) The original route is shown, in its entirety, on the Estate Map of 1788 (CR1886/M24a + M24) as going from West Street (Point A on attached map) north west to Friars Street (Point C).
- 3) The whole of the original route is shown on the map forming part of the Quarter Sessions Diversion Order made on 13/1/1803 (following a special sessions of 16/10/1802). (Order Book at CR1618/W7/65, with the Order at CR237/89/3+4) It was described as being a "footway" from West Street to Fryers Lane. The section diverted was 250 feet long from Point B to Point C, with the new, certified, route being from B to D. This part was described as being 1325 feet long and 8 feet wide.
- 4) This diverted route (B-D) is shown on an (undated) estate map of the property of W.Crompton esq. (CR237/89/1), with its continuation towards Point A.
- 5) The town map of 1831-40 (CR1618/W6/23) shows the whole path, with a court to the east labelled as Chapel Court.
- 6) The Tithe Apportionment Map 1848 (CR569/252) shows the route, in the same way as all the other highways/roads, through the built up area.
- 7) The large scale Board of Health Map of 1851 shows the whole route, in detail, with the northern part labelled as "Friars Court". (Published as part of a teaching package.)
- 8) The whole route is shown on all subsequent large scale Ordnance Survey maps, with the 1/1250 scale map of 1952 labelling the northern part (including B-D) as "Friars Court".
- 9) The section B-D was closed by an Extinguishment Order of 1973, due to the redevelopment of the area by Warwick Borough Council. (The route B-E already existed due to the prior redevelopment of that part, by the Council, under the provisions of the Housing Act, by reason of which the path automatically became public as soon as it had been completed.)

Other evidence

- 1) The whole route A-B-E is shown as adopted/maintainable by the Highway Authority (record maps held by Warwick District Council Engineers).
- 2) The whole route is well used by the public.
- 3) There is an official street name plate ("Abbots Way") and street light off Friars Street.
- 4) The route is surfaced with on-edge blocks under the archway off West Street, then with brick paviors in the passage way. There are standard Highway Authority paving slabs around the top of Monks Way, with the section to Friars Street being surfaced with tarmac. All of these materials are consistent with the materials expected for a public highway at different dates over the last few centuries.

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