



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 SA Wallgrove*  
*26 Priory Road*  
 Town *Warwick* Postcode *CV34 4NA*  
 Daytime Tel: \_\_\_\_\_ Date of Birth \_\_\_\_\_  
 Occupation \_\_\_\_\_

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.....*27566500*.....Finish.....*27806435*.....

Description :

*called Lower Fries: claim is for the two ends,  
namely (a) from Hampton Road to the service road  
and (b) from the end of the service road  
to West Street / Strothford Road*

Signed:  
Claim No.



Office use only

Date: *8/11/01*

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 ?

This is an ancient route, the central section of which has been diverted

List your evidence and references

see attached typed sheet

Ref. WBC13Nov01.1

Path known as 'Lower Friars'

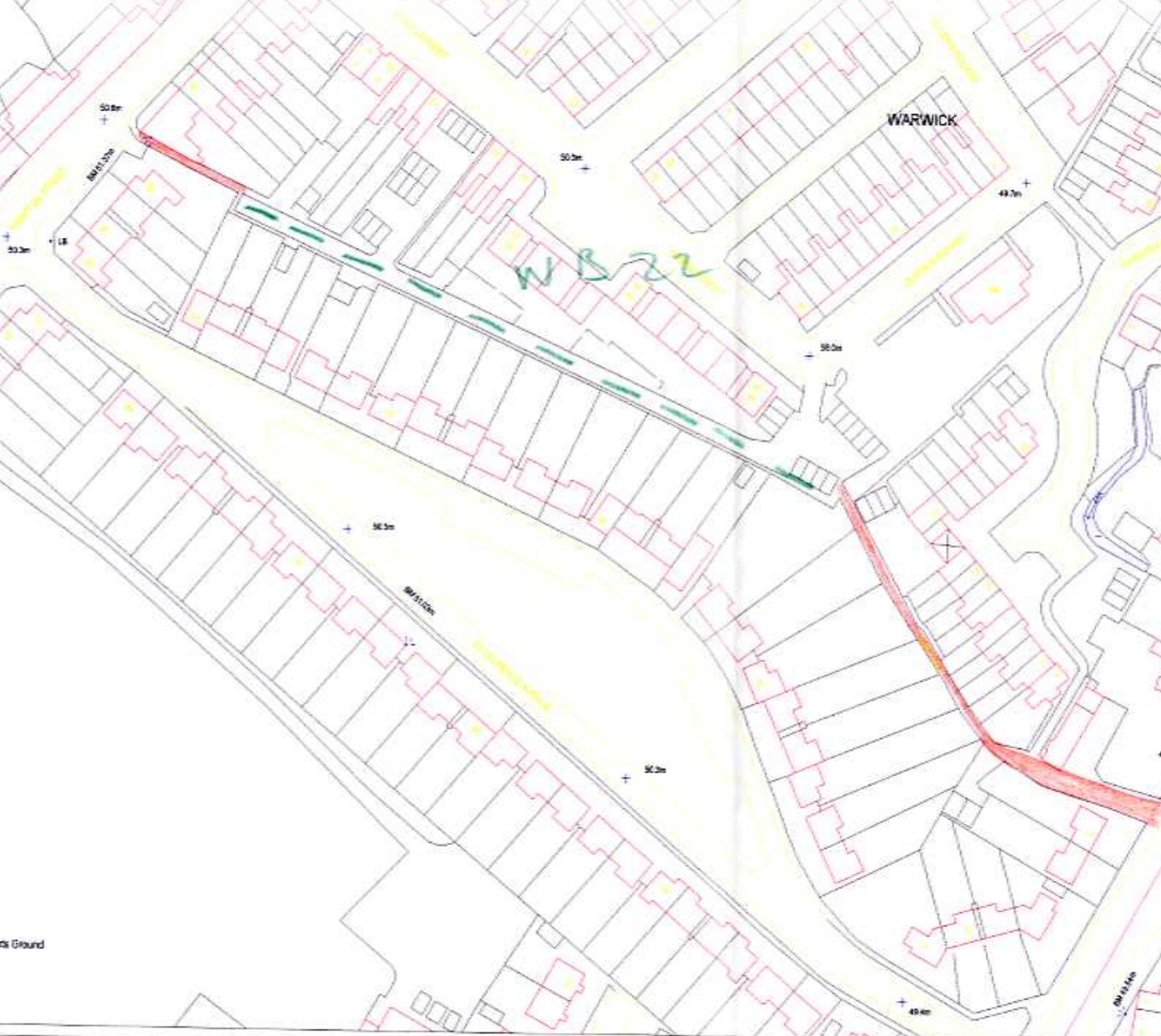
### Evidence

All references are to documents held by the County Record Office.

- 1) 1786 Estate map of Warwick (CR1886/M32): east part shown as a track from Stratford Road, between hedges, going in to a field and then west along edge of field.
- 2) Estate map of c.1802 (CR237/89/1) shows end of path from West Street/Stratford Road as it emerges into field called "Lower Fryers" with gate onto Gog Lane (now Hampton Road) at the other end of the field.
- 3) Plan of 1831, with deed (CR237/99/1+2): plan labels "foot road" as an abuttal to one plot; deed refers to it as "footpath leading out of the Hampton Road to or towards West Street".
- 4) deeds of 1830-1833 (CR237/188/1-3): describe same abuttal as "foot road leading from Hampton Road into West Street".
- 5) Tracing of map of 1837 (CR1618/W6/23): whole of path shown and labelled as "Foot Road".
- 6) Tithe Map 1848 (CR569/252): part off West Street shown coloured (wrongly: blue as if it was a stream!) as separate piece of land (not titheable) with pecked line adjoining it and continuing in to field to west (field not numbered and, therefore, not titheable - presumably since built on). Land not titheable, and not developed, is normally land which is waste, such as a highway.
- 7) 1851 Board of Health map (published by the County Council in a teaching archive): labells route as "Lower Friars" and shows spot heights + symbol/label as boundary of St Pauls parish along route.
- 8) Plan of Commonable Lands of St Marys 1874 (CR1618/WA16/1/33): shows north-west end of route (not labelled) coloured in same way as other roads.
- 9) Diversion Order (confirmed 25/8/1971) moved central section (now called WB22 on Definitive Map) onto new service road. [This diversion confirms that the whole route is public since there were no other routes linking to it.]
- 10) The section off West Street contains an old, standard, Highway Authority street map post, which could not have been installed without the then Council believing the route to be a public highway since they would have had no other powers to install it.

N.B. Form B is not included since the owners of these two sections of this original path are not known.

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	Warwickshire County Council	Department
	Date 7/11/2001	Project

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