



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 Walkgrave, 26 Pruney 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 3004 6581*.....Finish.....*SP 2991 6618*.....

Description :

*The track beside Pottertons Factory, Emscote Road, Warwick
to rear of the houses in Croville Road*

section A-B on map.

tarmac surface

Signed:

Claim No. 

Date: *26/10/01*

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 ?

Continuation of path N.B.1 into former
excluded area.

Substantial documentary evidence

List your evidence and references

see attached, typed, sheet

Evidence

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

The evidence is for the whole route of this path, not just the section being claimed. The relevant sections are: (a) A-B = the claim and is the vehicular track to the west of the Pottertons former factory. (b) B-C = the section through the Percy Estate. (c) C-D = the existing public footpath WB1.

1) The path was created by the Warwick (St Nicholas) Inclosure Award 1773 (QS75/123) being the 2nd footway in Coton Field. It was described as going from Edmundscote Bridge, through allotments to five owners, to the road to Coventry. The path was to be 4 ft wide but the south-east half was subject to (private) vehicular rights.

2) The route, in whole or part, is shown on various estate, and other, maps as well as on the 1887 and 1925 Ordnance Survey maps. These include:-

(a) Castle Estate Map 1836 (CR1886/M40)

(b) Warwick, Worcester and Rugby Railway 1845 deposited plans (QS111/187) as "Footpath from Portobello Tavern to Guys Cliffe". Owner: Surveyor of Highways

(c) Leamington, Warwick and Stratford on Avon Railway 1852 deposited plans (QS111/212) labels "footpath", owner: Surveyor of Highways [Section A-B]

(d) Deed of conveyance, with plan, of 1866 (CR1886/Box 453/20) shows path along east edge of site [part Section A-B]

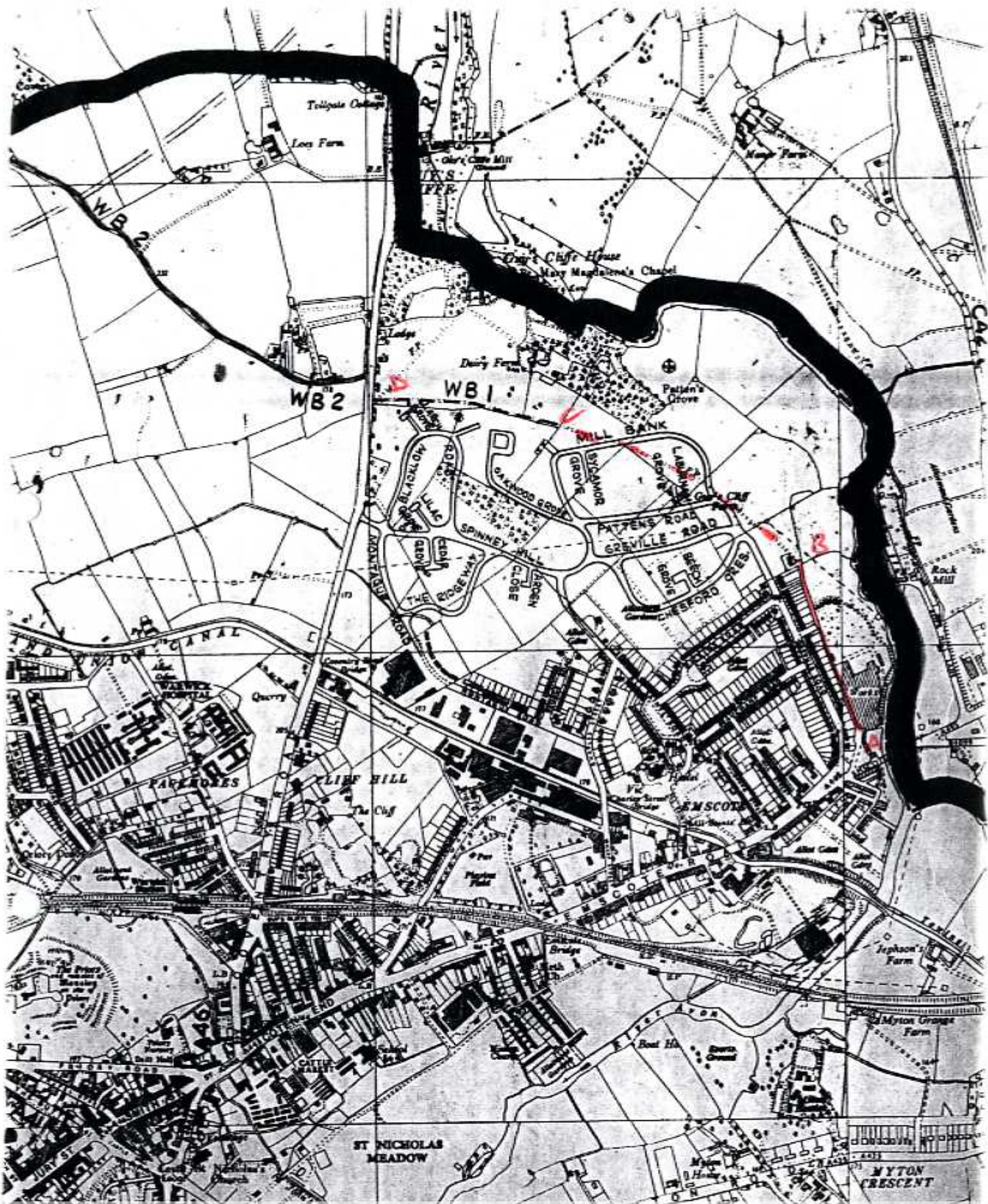
(e) Henry VIII Charity Sale Catalogue 1877 (CR1185/10) shows path through land awarded to the Corporation [part Section B-C]

3) Shown as Route 14 in the booklet "Footpaths in the Vicinity of Leamington" (date not known, but probably 1920's - recently republished)

4) 1932 Rights of Way Act deposit 1936 of plan showing "admitted paths" (CR1618/W6/37) shows the western half of the path [Section C-D + part Section B-C]

5) The Edmundscote Bridge referred to in the Inclosure Award was replaced in 1830 (QS24/28/xviii) and the old road came to be called Waterworks Lane (including part of the present path). Part of the old road was diverted on 18 December 1930 (QS117/2 - no page numbers). The route was described as being part of the highway from the road to Coventry (near Guys Cliffe House) to Emscote Road near the Portobello Bridge.

6) The central section [B-C] (i.e. the Percy Estate development) was the subject of a confirmed Ministry of Transport Order in 1959, although this line (and the original) conflicts with the subsequent, built, housing layout and allotments. This section therefore needs to be resolved !



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