



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 SA Wallgrove*
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 321 657*.....Finish.....*SP 322 652*.....

Description :

*From Newbold Terrace, Leamington Spa south
through Jepkeon Gardens to Mill Road, then from
New Street via Satchwell Place crossing Russell
Terrace generally south to Radford Road (between
Nos 5+7) + link (Gordon Passage) to Gordon Street*

Signed:

Claim No. [REDACTED]

Office use only

Date: *27/7/02*

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 shown on all maps, including the earliest town map, is shown as being publically maintainable on Highway Authority records, has a maintained tarmac surface, has street lighting, and is well used by the public (particularly section through Stephen Gardens).

List your evidence and references

see attached, typed, statement

Statement of Evidence for the path between Holly Walk, Leamington Spa and High Street

1) The whole route is shown on the early plans of Leamington Priors, namely that of 1783 and 1818 (both in "Royal Leamington Spa: A Century's Growth and Development" by H. G. Clarke published by The Courier Press 1947 and reprinted by the County Library). It is labelled as going from Lillington to Whitnash (with a branch to Radford on the 1783 map).

2) The section between Newbold Terrace and Mill Road (through Jephson Gardens) was created by a Diversion Order of 1835 (held by the County Record Office at QS32/2(1st)). It was called Mill Walk in 1869 when it was surfaced with asphalt (see CR1563/179 p.50 for the relevant minutes authorising this work).

3) The river bridge in this section (the Mill Bridge, now the Suspension Bridge) was in need of repair by 1853 when the Board of Health agreed to indict the County at Quarter Sessions for non-repair (see CR1563/172 p.62). N.B. The County were responsible for highway bridges.

4) The section between New Street and Russell Terrace: the north part, including Satchwell Place, is the original line of the path and Satchwells Buildings (later called Hopton Boarding Houses) were built fronting on to it in 1807 (Royal Leamington Spa p.25). The southern part of this section is either original or created by a diversion of the path to Radford in 1835 (see QS32/2 (2nd), the Order plan omitting the path towards Whitnash). This Order specified the width as to be 9ft. A link to Gordon Street (now called Gordon Passage) was also created by this Order.

5) The passage between Russell Street and High Street is the original path, as can be seen by comparing the alignment on the 1783 and 1818 maps with the Ordnance Survey maps but is surfaced and maintained.

6) The whole route is shown as being publically maintainable on the records kept by the District Council agents for the Highway Authority.

27 July 2002

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FORMER EXCLUDED AREA

