



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

form
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Application for a Modification Order

Rights of Way, Communities,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

To: **Warwickshire County Council**

Of: **PO Box 43, Shire Hall, Warwick, CV34 4SX**

#We: **Ederyn Williams**
BARROW AND RANDOM ROADS RESIDENTS ASSOCIATION

Of: **13 BARROW ROAD, KENILWORTH CV8 1EG**

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

Deleting * the Footpath / Bridleway / Restricted Byway / Byway Open to all Traffic *

fromto.....

Adding * the Footpath / Bridleway / Restricted Byway / Byway Open to all Traffic *

from SP 2879571583to..... SP 2868171522.....

Upgrading / Downgrading * to a Footpath / Bridleway / Restricted Byway / Byway Open to all
Traffic * the Footpath / Bridleway / Restricted Byway / Byway Open to all Traffic *

fromto.....

Varying / Adding to * the particulars relating to the Footpath / Bridleway / Restricted Byway /
Byway Open to all Traffic *

from.....to.....

by providing that

** delete as appropriate*

and shown on the map accompanying this application.

We attach copies of the following documentary evidence (including statements of witnesses)
in support of this application (see overleaf **).

Signed **Ederyn Williams** Dated **14th March 2020**

The accompanying map must be at a scale of 1:25000 or greater (e.g. 1:10000)

Please see overleaf

Please list the name and address of anyone whose land is crossed by the claimed route. Note the date you contacted them, and if possible say whether they are the owner, occupier or tenant. Where possible, explain which part of the route affects each owner/occupier - use a sketch plan if this is easier. Please continue on additional sheets if necessary.

Name: MR GRAHAM BARBER
Address: 2 RIVERWALK STREET, ORMEAU, QUEENSLAND 4208, AUSTRALIA
Telephone Number: NOT KNOWN

Owner / occupier / tenant
Date contacted: MARCH 5TH, 2020
Other relevant information:
MR BARBER CO-OWNS THE PROPERTY WITH RELATIVES. IT IS NOT REGISTERED WITH THE LAND REGISTRY

Name:
Address:

Telephone Number:

Owner / occupier / tenant
Date contacted:
Other relevant information:

Name:
Address:

Telephone Number:

Owner / occupier / tenant
Date contacted:
Other relevant information:

Name:
Address:

Telephone Number:

Owner / occupier / tenant
Date contacted:
Other relevant information:

Name:
Address:

Telephone Number:

Owner / occupier / tenant
Date contacted:
Other relevant information:



Warwickshire
County Council

Rights of Way, Communities,
PO Box 43, Shire Hall,
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Wildlife & Countryside Act 1981
Definitive Map and Statement of Public Rights of
Way for Warwickshire

form

1a

**Application for a Modification Order
(Supplementary Information)**

Name: Ederyn Williams
BARLOW AND RANDALL ROAD RESIDENTS ASSOCIATION

Address: 13 BARLOW ROAD
KENILWORTH CV8 1EG

The purpose of this form is to gain as much information about the route claimed as possible. Please complete the following sections in as much detail as you can.

1. Please explain why you believe the Definitive Map and Statement should be modified, for example, why you believe the route should be added to the map or should be upgraded.

THE PATH IN QUESTION HAS BEEN A FOOTPATH WITH PUBLIC RIGHT OF WAY WITHOUT INTERRUPTION FROM AT LEAST 1886 UNTIL THE PRESENT DAY.

IT WAS DESCRIBED AS A "PUBLIC FOOTPATH" IN A PLAN ATTACHED TO THE 1928 DEEDS BY WHICH MR JAMES BARBER PURCHASED FROM MR CHARLES RANDALL THE LAND ON WHICH THE RANDALL ROAD HOUSE WERE BUILT.

MR JAMES BARBER LEFT THE FOOTPATH VIZANT AS HE SOLD BUILDING PLOTS AND HOUSES TO VARIOUS OTHERS, BUT HE MADE NO PROVISION FOR THE FOOTPATH TO BE FORMALLY RECOGNISED OR TO PASS INTO PUBLIC OWNERSHIP.

HIS HEIRS MOVED TO AUSTRALIA IN 1968 AND HAD NO KNOWLEDGE OF THEIR OWNERSHIP OF THE LAND UNTIL WE INFORMED THEM OF THIS A COUPLE OF WEEKS AGO.

2. Please describe the route carefully:

- i) Start point..... PRIVATE CAR PARK AT REAR OF 24 UTRALICK ROAD..... Grid Reference SP 287 957 1583
- ii) End point..... NORTH/SOUTH FOOTPATH BETWEEN RATHMEL AND BARROW ROADS..... Grid Reference SP 286 817 1522
- iii) Are there any gates / stiles / bridges? Please describe where (it would be helpful to mark them on a map).

NO

- iv) Can the route be used today? YES, THOUGH THE WEST END IS OVERGROWN WITH UNDERGROWTH IN PLACES
- If not:
- what prevents access along the route – please mark the locations on a map.

- are you aware of when any obstruction occurred?

- v) Are there are any signs / notices on the route? NO
- If yes:
- please mark their location on a map.
 - in what year did the notices appear?
 - what do they say?

- vi) What is the surface type of the route? It would be helpful to mark it on a map.
- THE ENTIRE SURFACE WAS EARTH UNTIL 2015 WHEN A RESIDENT PUT CHIPPINGS ON THE EASTERN HALF.

Signed:  Dated: 14/3/20

**** Evidence in support of your claim -**

Documents 3 (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 5 (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 (Form 4) 2 (number attached)

Please number each form and make a list with the name and number of each person who has completed a "witness statement" in support of your application, on *this* form.

List your evidence and references (continue on a separate sheet if necessary)

1. PLAN FROM THE PURCHASE DEEDS FOR THE RANDALL ROAD AREA
(PRIVATE DOCUMENT, AVAILABLE ON REQUEST)
2. 1938 ORDNANCE SURVEY MAP
3. 1969 ORDNANCE SURVEY MAP

List your witnesses (continue on a separate sheet if necessary)

1. 
2. 

H.M. LAND REGISTRY		TITLE NUMBER	
		WK 291541	
ORDNANCE SURVEY PLAN REFERENCE	SP 2871	SECTION Q	Scale 1/1250
COUNTY WARWICKSHIRE	DISTRICT WARWICK		© Crown copyright 1974

