

RA Ref. BAD 75

Ref. DefMapSch7Jul02.1

Schedule 7

Form of Application for Modification Order

Wildlife and Countryside Act 1981

Title of Map: Birmingham Definitive Map

To: Transportation Strategy (Development Section), Birmingham City Council

Of: 1 Lancaster Circus, Queensway, Birmingham B4 7DQ

We, The Ramblers Association, Warwickshire Area
c/o S. G. Wallsgrove, Area Footpath Secretary, 26 Priors Road, Warwick CV34 4NA
hereby apply for an order under section 53(2) of the Wildlife and Countryside Act 1981
modifying the definitive map and statement for the area by :

~~[deleting the [footpath][bridleway][byway open to all traffic]~~

~~from:~~

~~to:~~

[adding the [footpath][bridleway][byway open to all traffic]

from: Audley Road (beside playing fields)

to: Flaxley Road]

~~[upgrading][downgrading] to a [footpath][bridleway][byway open to all traffic] the~~

~~[footpath][bridleway][byway open to all traffic]~~

~~from:~~

~~to:~~

~~[varying][adding to] the particulars relating to the [footpath][bridleway][byway open to all traffic]~~

~~from:~~

~~to:~~

~~by providing that:~~

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:

List of documents: see attached, typed, statement of evidence

Dated: 21/8/08

Signed: S G Wallsgrove

Schedule 8

Form of Notice of Application for Modification Order

Section 53(5) of, and schedule 14 to, the Wildlife and Countryside Act 1981

Title of Map: Birmingham Definitive Map

To: Birmingham City Council

of: 1 Lancaster Circus, Queensway, Birmingham B4 7DQ

We, The Ramblers Association, Warwickshire Area
c/o S. G. Wallsgrave, Area Footpath Secretary, 26 Priory Road, Warwick CV34 4NA
hereby give notice that on: 21/8/08

We made application to the: Birmingham City Council
that the definitive map and statement for the area be modified by

~~[[deleting the [footpath][bridleway][byway open to all traffic]
from:
to:]~~

~~[[adding the [footpath][bridleway][byway open to all traffic]
from: Audley Road (beside playing fields)
to: Plaxley Road]~~

~~[[upgrading][downgrading] to a [footpath][bridleway][byway open to all traffic] the
[footpath][bridleway][byway open to all traffic]
from:
to:]~~

~~[[varying][adding to] the particulars relating to the [footpath][bridleway][byway open to all
traffic]
from:
to:
by providing that:]~~

Dated: 21/8/08

Signed: S G Wallsgrave

Ref. DefMapSch9Jul02.1

Schedule 9

Form of Certificate of Service of Notice of Application for Modification Order

Wildlife and Countryside Act 1981

Title of Map: Birmingham Definitive Map

Certificate of Service of Notice of Application for Modification Order

To: Transportation Strategy (Development Section), Birmingham City Council
of: 1 Lancaster Circus, Queensway, Birmingham B4 7DQ

We, the Ramblers Association, Warwickshire Area
c/o S. G. Wallgrove, Area Footpath Secretary, 26 Priory Road, Warwick CV34 4NA

hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and
Countryside Act 1981 have been complied with.

~~Are unable to comply with the requirements of paragraph 2 of Schedule 14 for the following
reason(s):~~

Dated: 21/8/08
Signed: S G Wallgrove



BAP 75
SP 136877-135875



Statement of Evidence for Path Claim BAP 75

- 1 The path is first recorded on the deposited plans for the then proposed Birmingham and Leicester Railway 1845, where it is described in the Book of Reference in two parcels in Yardley parish, namely 32: “arable and public footpath”, and 35: “pasture and footpath”. [NB The Surveyor of Highways is only recorded as an owner in the case of roads in this document.] (The documents are held by the Warwickshire County Record Office at QS111/150/1-3.)
- 2 The route is shown on the first edition of the Ordnance Survey six inch map of 1887.
- 3 The southern end was diverted by a Quarter Sessions Highways Order of 1934, with a Certificate of Completion dated 14 June 1939. The Order specified the path as to be 7 feet wide. (Order held by the City Council in the Central Reference Library, Archives section at QS/B/21/1 (Box 14, Bundle 1, item 11).)
- 4 The section north from Audley Road was closed by a Quarter Sessions Highways Order of 1935, with a Certificate of Completion dated 5 July 1935. (Order held by the City Council at QS/B/21/2 (Box 15, item 40).)
- 5 The remaining route is recorded on the (undated) City Council map of public rights of way.
- 6 The path has staggered barriers at both ends, with old street lights, although the surface is in poor condition.
- 7 It is considered, therefore, that it is reasonable to allege that the route subsists as a public footpath and should be recorded as such on the Definitive Map.