

RA Ref. BAP 77

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. Wallsgrave, Area Footpath Secretary, 26 Priory 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: (a) Cele Hall Lane (b) Broomy Close
to: Vintage Close Bushbury 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 Wallsgrave

Ref Ref. BAP 77

Ref. DefMapSch8Jul02.1

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. Wallsgrove, 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: (a) Cole Hall Lane (b) Broomy Close
to: Vintage Close Bushbury 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 Wallsgrove

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

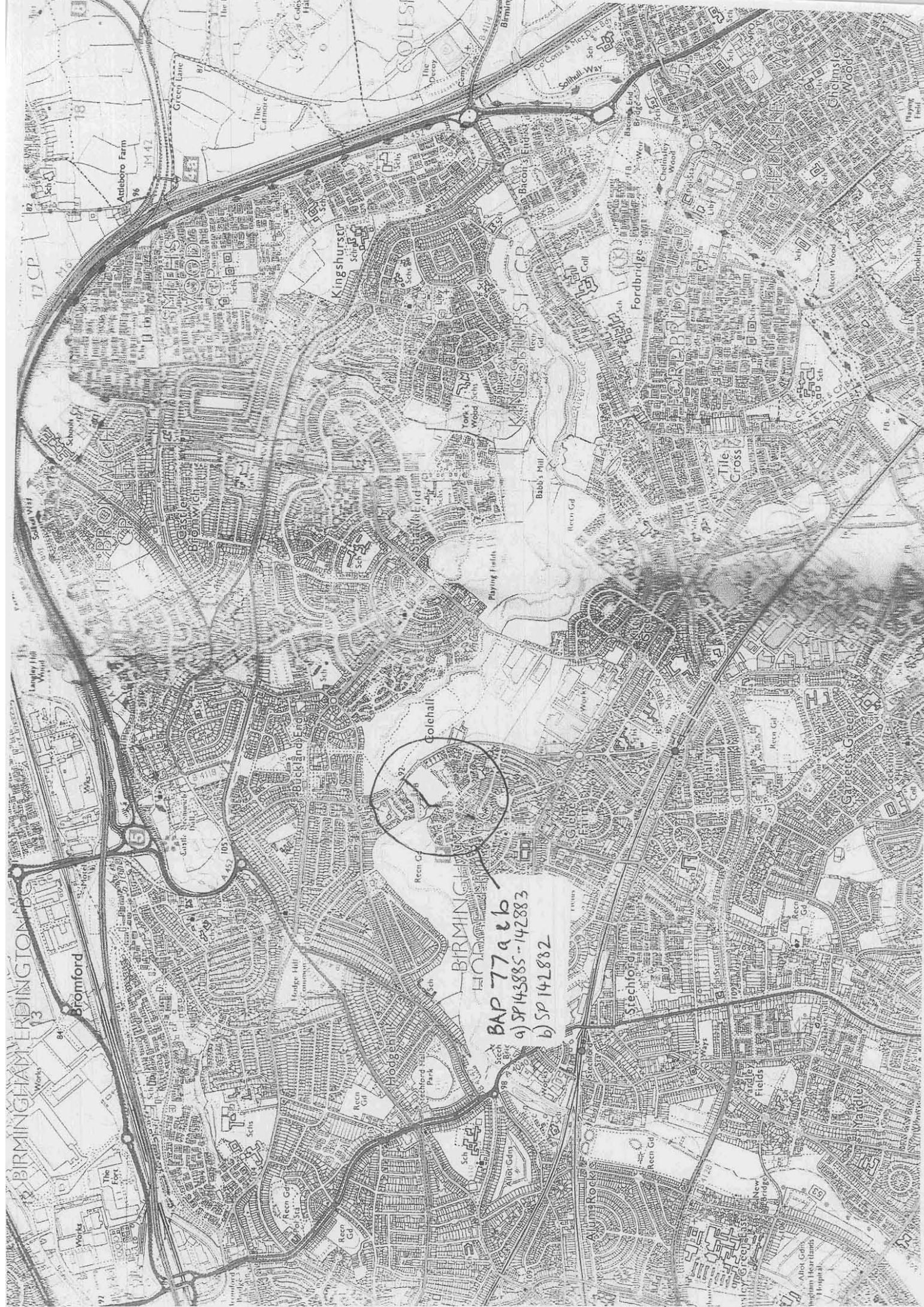
We, the Ramblers Association, Warwickshire Area
c/o S. G. Wallgrove, Area Footpath Secretary, 26 Priory Road, Warwick CV34 4NA

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



BIRMINGHAM
HODGKINSON
BAP 77a & b
a) SP 143885 - 142883
b) SP 142882

Statement of Evidence for Path Claim BAP 77

- 1 The whole route of the original path is shown on the map with the Yardley Tithe Apportionment of 1847. (Held by the City Council in the Central Reference Library.)
- 2 The southern end of the path is recorded on the deposited plans for the Birmingham and Leicester Railway 1845, where the Book of Reference describes parcel 58, in Yardley parish, as "arable and footpath" (Glebe Land). (the plans and Book of Reference are held by the Warwickshire County Record Office at QS111/150/1-3.) [NB The Surveyor of Highways is only listed as an owner in the case of roads in this document.]
- 3 The whole route is shown on the first edition of the Ordnance Survey six inch map (1887).
- 4 The southern part (from Kitts Green Road to Bushbury Road) was diverted onto estate roads by a Quarter Sessions Highways Order with a Certificate of Completion of 20 November 1933. (Order held by the City Council in the Central Reference Library, Archives section at QS/B/21/2 (Box 15, item 26).)
- 5 The middle section, from the back of the houses on the north side of Bushbury Road north to the Public Open Space, was closed by the City of Birmingham District Council (Land off Bushbury Road, Stechford) Public Path Stopping-Up Order 1984. This was confirmed on 24 March 1988, but did not create any replacement route. However, the plan with the Order showed path links which, when adopted, would create a replacement route.
- 6 The current Ordnance Survey 'Explorer' sheet appears to show a different layout from that in the above Order, but shows path links from Vintage Close northwards, and from Broomy Close southwards, providing a replacement route. It is assumed these roads and footpaths were adopted.
- 7 The short section from Bushbury Road to Broomy Close has a paved surface, with street lighting and a metal bollard to prevent use by vehicles. The long section, from Vintage Close to Cole Hall Lane, is partly surfaced with tarmac, and is partly gravelled, with timber bollards at the ends.
- 8 It is considered, therefore, that it is reasonable to allege that the routes subsist as public footpaths and should be recorded as such on the Definitive Map.