

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: Merritts Brook Lane

to: Frankley Lodge 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:

16/1/09

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. Wallsgrove, 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: *16/1/09*

Signed: *S G Wallsgrove*

BAP 235A

# ANCE SURVEY PATHFINDER 954 (SP 07/17)



Statement of Evidence for Path Claim BAP 235A

- 1 Only the section of the path along the approximate line of the entrance drive to the reservoir is shown on the map with the Northfield Tithe Apportionment of 1840. (Held by the City Council in the Central Reference Library.)
- 2 The whole path is shown, and labelled 'FP', on the first edition of the Ordnance Survey six inch map (1884).
- 3 The path is shown on the deposited plans for the Birmingham, Kidderminster and Stoke Railway 1889. The Book of Reference describes parcel No.5 in Frankley as 'Field and footpath'. (Held by Warwickshire County Record Office at QS111/452.)
- 4 The path was diverted when Frankley Reservoir was built c.1891, although the plans have not been found.
- 5 The deposited plans of 1927 for Bartley Reservoir show the path, as diverted, including the access road. (Held by Warwickshire County Record Office at QS111/607.)
- 6 The part of the diverted path around Frankley Reservoir in Worcestershire is shown on the Ordnance Survey Pathfinder maps (sheets 834 (1986) and 954 (1988)) as a public footpath, the information having been taken from the Definitive Map.
- 7 The path is recorded on the (undated) City Council map of public rights of way.
- 8 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.