

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 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: Mill Lane

to: Cromwell Lane

]

~~[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: 12/6/08

Signed: S.W. 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. Wallsgrove, Area Footpath Secretary, 26 Priory Road, Warwick CV34 4NA
hereby give notice that on: 12/6/08

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: Mill Lane
to: Coombe Lane, Bartley Green]

~~[[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: 12/6/08

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. 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: 12/6/08

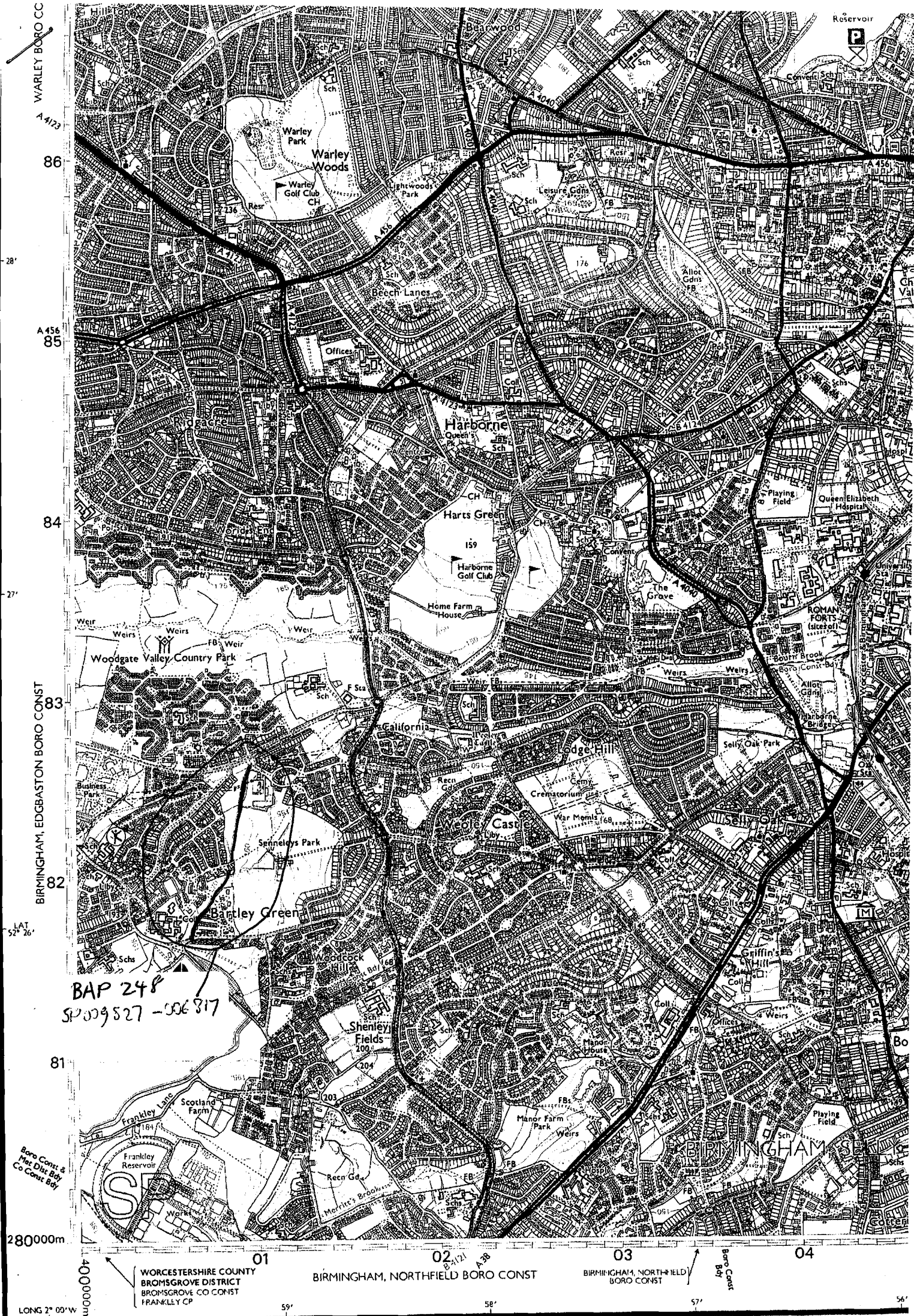
Signed: SG Wallsgrove

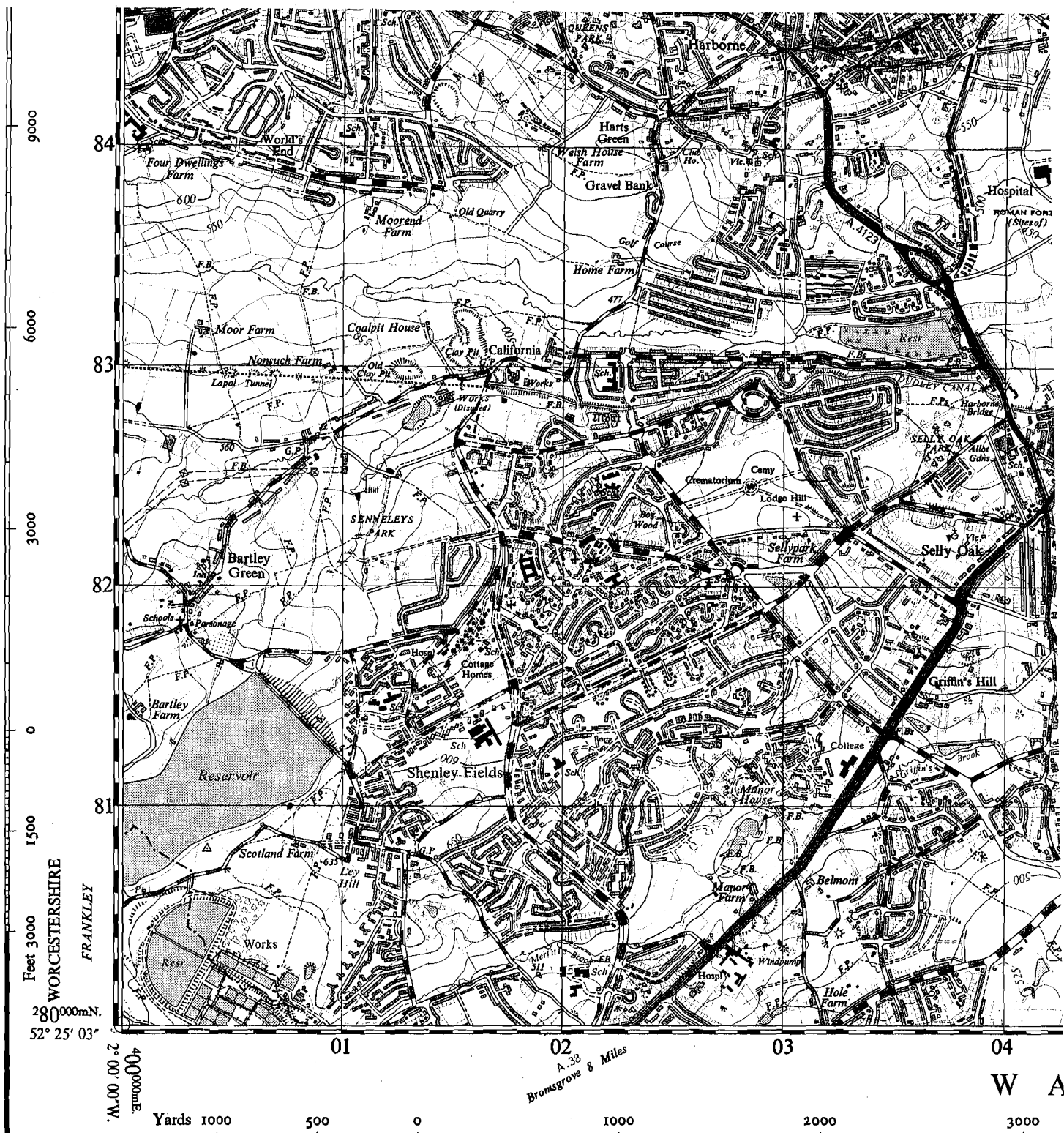
Notice also served on:

33 Athol Close

24 Kington Croft

291 Cromwell Lane





SHEET SP08

Grid North at the centre of this sheet is 0° 03' 30" E. of True North.
Magnetic Variation is 9° 50' W. of Grid North for June 1952.
Annual Change 10' E.

INDEX TO ADJOINING SHEETS

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Statement of Evidence for Path Claim BAP 248

- 1 The path is first shown on the map with the Northfield Tithe Apportionment of 1840, where it is labelled "Footway". This is held by the City Council in the Central Reference Library.
- 2 The route is shown, and labelled "FP", on the first edition (1880's) of the Ordnance Survey 6 inch map.
- 3 Part of the path is shown on the deposited plans for the then proposed Birmingham, Kidderminster and Stoke Railway 1889, where the Book of Reference describes parcel 42 in Northfield as "Field, Public Footpaths and stream" and parcel 46 as "Field, Public Footpath and stream". (These are held by the Warwickshire County Record Office at QS111/452.)
- 4 Part of the path is also shown on the deposited plans for the then proposed Birmingham, Kidderminster and Stourport Railway 1892, where the Book of Reference describes parcel 31 as "Field, drain and footpath", parcel 38 as "Field and footpath", and parcel 42 as "field, footpath and stream". All are in Northfield parish and include the Northfield Highways Board as an owner. (The documents are held by the Warwickshire County Record Office at QS111/471.)
- 5 A small section of the path, in the middle, was diverted onto a new street (Brook Drive) by a Quarter Sessions Highways Order with a Certificate of Completion dated 26 November 1857, from a Sessions held on 24 September 1951.
- 6 The path is shown, and labelled 'FP', on the Ordnance Survey 1/25,000 sheet SP08 (published 1952, with revisions 1970).
- 7 The southern tip of the path appears, on the 1/25,000 scale Ordnance Survey maps to just pass to the west of the housing estate but, at a larger scale, apparently actually goes through the houses in Kineton Close and Athol Close. No Diversion Order, however, has been found.
- 8 The northern tip of the path is recorded on the (undated) City Council map of public rights of way.
- 9 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.