

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: Thornecliffe Road

to: Old Oscott Hill

]

~~[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:

30/9/08

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. Wallsgrove, Area Footpath Secretary, 26 Priory Road, Warwick CV34 4NA

hereby give notice that on: *30/9/08*

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: *Thorncliffe Road*

to: *Old Oscott Hill*

]

~~[[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:

30/9/08

Signed:

S G Wallsgrove

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 B1 7DQ

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

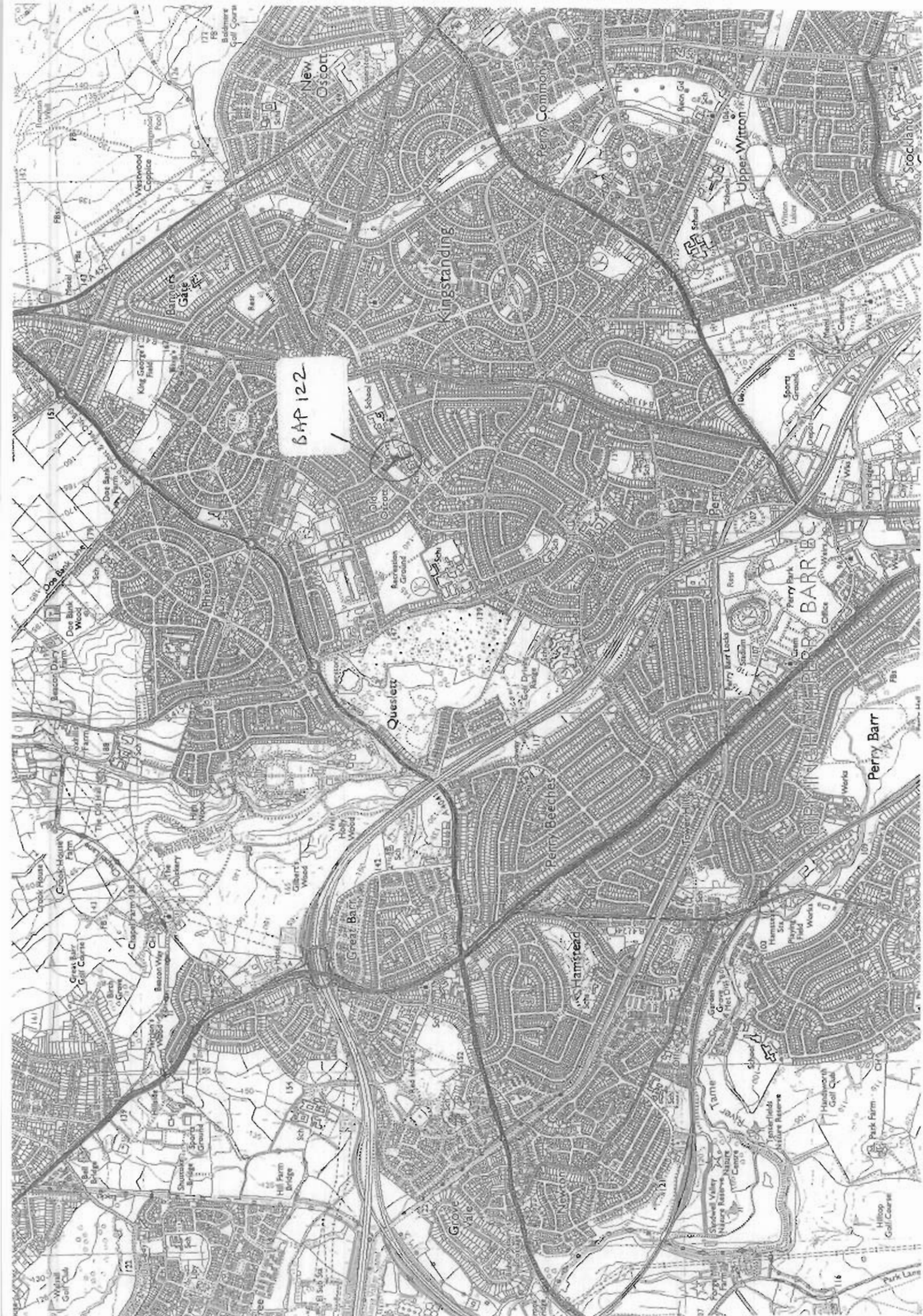
hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with.

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

Dated: 30/9/08

Signed: S G Wallsgrove

N.B. Notice also sent to
Maryvale Convent



Statement of Evidence for Path Claim BAP 122

- 1 The path is shown, and labelled 'FP', on the first edition of the Ordnance
Survey six inch map (1886).
- 2 The northern half of the path was diverted onto a proposed estate road
(Thorncliffe Road) by a Quarter Sessions Highways Order with a Certificate
of Completion dated 22 November 1939, the southern half being shown as
going to Old Oscott Hill. (The Order is held by the City Council in the Central
Reference Library, Archives section, at QS/B/21/1 (Box 14, Bundle 1, item
28).)
- 3 The section on the north-east side of the convent was diverted by the
Birmingham City Council (Maryvale, Old Oscott Hill) Public Path Diversion
Order 1988, which specified the existing path as being 5m wide, with the new
section reduced to 1.5m. The Order was confirmed on 28 April 1988 and was
to become operative when the new route had been certified. There is no record
of this Certificate having been issued.
- 4 A consultation was carried out on proposed gates, at various points on the
path, in August 1999 (when the legislation did not provide for the erection of
such obstructions).
- 5 A similar consultation exercise was undertaken in August 2006.
- 6 A site visit showed that there are anti-cycling barriers at the ends.
- 7 The route is recorded on the (undated) City Council map of public rights of
way, although the northern end is shown turning west.
- 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.