

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 7BA

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: Dogpool Lane

to: Pershore 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: 31/10/08

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: 31/10/08

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: Dogpool Lane~~

~~to: Pershore 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: 31/10/08

Signed: scubelleprose

RA Ref. BAP 296

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 7DA

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: 31/10/08

Signed: S.G. Wallgrove



BAP 296



BAP 296

04 BIRMINGHAM, NORTHFIELD BORO CONST 05 06 07 08

57' 56' 55' 1 mile = 1.6093 kilometres 1000 Metres 0 Kilome 1000 Yards 0 Miles



Statement of Evidence for Path Claim BAP 296

- 1 The original path is shown, and labelled 'FP', on the first edition of the Ordnance Survey six inch map (1880's).
- 2 The central section, from Kitchener Road north to First Avenue, was to be closed by a Quarter Sessions Highways Order with a Certificate of Viewing dated 11 March 1924, for a Sessions to be held in April or May. However, there is no map with the Order and nothing on the file that it was confirmed. (Held by the City Council in the Central Reference Library, Archives section, at QS/B/21/1 (Box 14, Bundle 3, item 29).)
- 3 The path is recorded on the deposited plans for the Birmingham Corporation rivers improvements, 1928. The Book of Reference describes item 561 as a public footpath "between First and Second Avenues and River Rea" at Moor Green Rolling Mill. (Held by Warwickshire County Record Office at QS111/631.) This suggests that the 1924 Order was not confirmed or implemented.
- 4 The north end of the route, from Pershore Road, is shown as an almost continuous, open, passageway to the open space beside the River Rea on the Ordnance Survey Pathfinder sheet 934 (1986) and on the subsequent Explorer sheet 220 of both 1999 and 2006.
- 5 The Explorer sheet of 2006 also shows the middle section, between Second Avenue and Kitchener Road, as a "traffic free cycle route".
- 6 The northern end generally has a tarmac, or paved, surface but the remainder is on grassed open space. The section between Sir Johns Road and Third Avenue, however, has locked gates on it.
- 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.