

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, Queenway, 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:

to:

Four oaks Road = The Fordnough

]

~~[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:

10/10/08

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):

Although notice has been sent to Network Rail,  
the ownership of the remaining lane is not known.

Dated: 10/10/08

Signed: S.G. Wallsgrove





BAP135

SUTTON  
COLDFIELD

SUTTON COLDFIELD BO

Reddich  
Head

Wylde Green

Walmley

Moor Hall

12

Four Oaks

Four Oaks  
Parks

Lower Nut Hurst

Holly Hurst

Powell's Pool

Boldmere

Manorial Farm

Hill Wood

Hill Wood Farm

Mere Green

Doe Bank

Rectory Park

Wylde Green

Springhill Farm

Manorial Wood

Hill Wood Road

Hill Wood Farm

Hilltop Farm

Hotel

Ashburton Hall

Wheatmoor Farm

Wheatmoor Farm

Wheatmoor Farm

Wheatmoor Farm

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Wheatmoor Farm

Wheatmoor Farm

Wheatmoor Farm

Wheatmoor Farm

Wheatmoor Farm

Canwell Hall

Home Farm

Canwell Drive

Heath Plantation

Lamb Farm

Slade Farm

Colless Brook Farm

Fox Hill House

Wheatmoor Farm

Wheatmoor Farm

Wheatmoor Farm

Wheatmoor Farm

Wheatmoor Farm

Wheatmoor Farm

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Statement of Evidence for Path Claim BAP 135

- 1 The path is first recorded on the deposited plans for the London and North Western Railway (Birmingham and Lichfield Line) 1846. The Book of Reference described parcel 216, in Sutton Coldfield, as "occupation road and public footpath". (Held by Warwickshire County Record Office at QS111/195.)
- 2 The whole length of the path was created by the Sutton Coldfield Inclosure Award 1851 (following an Act of 1824) as public footpath No.XXXVI, along a private road. (Held by WCRO at QS75/111/1.)
- 3 The path is shown on the deposited plans for the Birmingham and Sutton Coldfield Extension Railway 1862 as parcel 75a, in Sutton Coldfield parish. It is not listed, however, in the Book of Reference. (Held by WCRO at QS111/257.)
- 4 The path is recorded on the deposited plans for the Birmingham and Sutton Coldfield Extension Railway 1866 as parcel 74. The Book of Reference describes this parcel as "occupation road and footpath", with the owner being Sir J.W.C.Hartopp, Bart., and the occupiers as "in hand" and the Surveyor of Highways. (Held by WCRO at QS111/292.)
- 5 The route is recorded on the deposited plans for the Birmingham and Lichfield Junction Railway 1871. The Book of Reference describes parcel 87 as "private road". (Held by WCRO at QS111/313.)
- 6 The path is shown on the deposited plans for the London and North Western Railway (Sutton Coldfield and Lichfield Railway) 1879. The Book of Reference describes parcel 164 as "occupation road and public footpath". (Held by WCRO at QS111/360.)
- 7 The route is shown on the first edition of the Ordnance Survey six inch map (1887), including the bridge over the railway.
- 8 An Abstract of Title (with plan) starting in 1888, shows the area was part of the Hartopp estate, but the copies of the estate maps of 1881 and 1888 show the track as excluded from the adjoining fields, although the typed abstract, and the 1881 plan, refers to the route as a 'right of road'. (Held by Birmingham Central Library, reference not known.)
- 9 There are concrete bollards at each end of the bridge over the railway, to prevent vehicle access, but the route has been used by the public, as was demonstrated in 1998 when the track was illegally obstructed.
- 10 The route is recorded on the (undated) City Council map of public rights of way.
- 11 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.