

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 7AQ

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: Woodcock Lane
to: Woodcock Lane North]

~~[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: 27/5/08

Signed: S.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 B1 7DA

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.

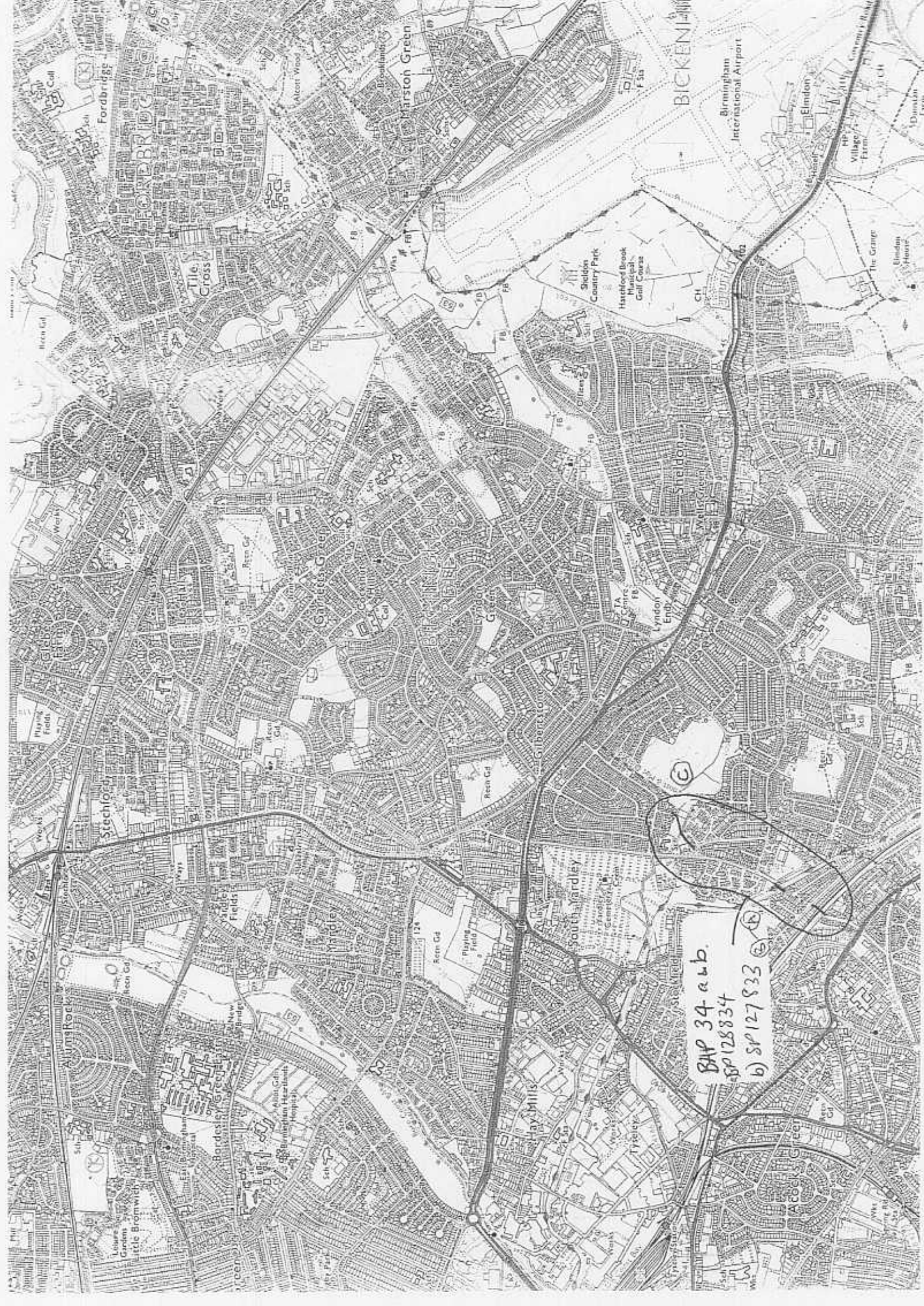
~~Are unable to comply with the requirements of paragraph 2 of Schedule 14 for the following
reason(s):-~~

Dated: 27/5/08

Signed: S.G. Wallsgrove

Statement of Evidence for Path Claim BAP 34

- 1 The path which is the subject of this application is a small, remaining, section of an original long path which went from Coventry Road, Yardley generally south-west, across Clay Lane, to the north end of Woodberry Walk, off Warwick Road, Acocks Green.
- 2 The route is first recorded on the deposited plans for the Birmingham and Oxford Junction Railway 1845 when the affected section was recorded in the Book of Reference as parcel 101 in Yardley: occupation road. (The plans and Book of Reference are held by Warwickshire County Record Office under reference QS111/153.)
- 3 The path is shown on the map with the Yardley Tithe Apportionment of 1847. (Held by the City Council in the Central Library.)
- 4 The whole route is shown, and labelled "FP", on the first edition (1880's) of the Ordnance Survey 6 inch map.
- 5 The northern half, from Coventry Road to Clay Lane, was diverted onto Gilbertshaw Avenue and Measham Grove, with a footpath link onto Clay Lane, by a Quarter Sessions Highways Order which has a Completion Certificate of 2 March 1937 (for a Sessions of 5 April 1937). (The Order is held by the City Council in the Central Reference Library under reference QS/B/21/2(Box 15, item 27).) [N.B. The path link created by the Order no longer exists on the ground, but there is no known Diversion or Closure Order.]
- 6 Another Quarter Sessions Diversion Order also exists in the Warwickshire County Record Office (reference QS47/369) with a Certificate of Completion dated 20 October 1938, but has no plan with it. This is presumed to be the same Diversion since part of the path was in Solihull, which was then part of Warwickshire.
- 7 The claimed section of the path (over the canal) is recorded on the (undated) City Council map of public rights of way, with what could be the southern part of the path link off Measham Grove.
- 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.



BAP 34 a.b.
SP 128834
b) SP 127833