Form of Application for Modification Order

Wildlife and Countryside Act 1981

Title of Map: Birmingham Definite Map

To: Transportation Strategy (Development Section), Birmingham City Council,
Of: 1 Lancaster Circus, Queensway, Birmingham B1 7 DA

We, The Ramblers Association, Warwickshire Area
c/o S. G. Walsgrove, 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: ____________ Road

to: St Nicholas Cordon

[ = Birdage Walk]

(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: 23/1/08

Signed: _______
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, Queenway, Birmingham B1 7LA

We, The Ramblers Association, Warwickshire Area
c/o S. G. Walls, Grove, Area Footpath Secretary, 26 Priory Road, Warwick CV3 4NA

hereby give notice that on: 23/7/08

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:
]  

[adding the [footpath][bridleway][byway open to all traffic]

from: Bank's Road, Kings Norton

to: St Nicholas Gardens = Bircroft Walk

]  

[[upgrading][downgrading] to a [footpath][bridleway][byway open to all traffic]
the [footpath][bridleway][byway open to all traffic]

from:
]  

[varying][adding to] the particulars relating to the [footpath][bridleway][byway open to all traffic]

from:
]  

by providing that:

Dated: 23/7/08

Signed: [Signature]
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, Aaccessway, Birmingham B4 7BA

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: 23/7/08

Signed: S. Wallsgrove

N.B. Notice also served on Diocese of Birmingham
Statement of Evidence for Path Claim BAP 318

1. The path is shown on the first edition of the Ordnance Survey six inch map (1880’s) as a narrow, enclosed, route.

2. The path formed the southern termination of another public path which was closed by a Quarter Sessions Highways Order of 1922, when it was described (as Birdcage Walk) as being a public footpath. (The Order is held by the City Council in the Central Reference Library (Archives section) under ref. QS/B/21/1 (Box 14, Bundle 3, item 24).)

3. When St Nicholas Gardens was developed, the estate road was apparently laid out along the path. (No Diversion Order has been located.)

4. The remaining section of the path is shown on the Ordnance Survey Pathfinder map (sheet 984 of 1988) as a path.

5. The path is partly paved, and partly surfaced with tarmac, with modern street lights.

6. The path is recorded on the (undated) City Council map of public rights of way.

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.