

Ref. DefMapSch7Jul02.1

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 B1 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: Ley Hill Farm Road
to: Frankley Reservoir Access Road (= BAP 235A)

~~[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: 16/10/08

Signed:

Ref. DefMapSch8Jul02.1

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 7AQ

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

hereby give notice that on: 16/9/08
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: Ley Hill Farm Road
to: Frankley Reservoir Access Road (F BAP 235A)]

~~[[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: 16/9/08

Signed: S G Wallsgrave

RA Ref. BAP 235

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 7DQ

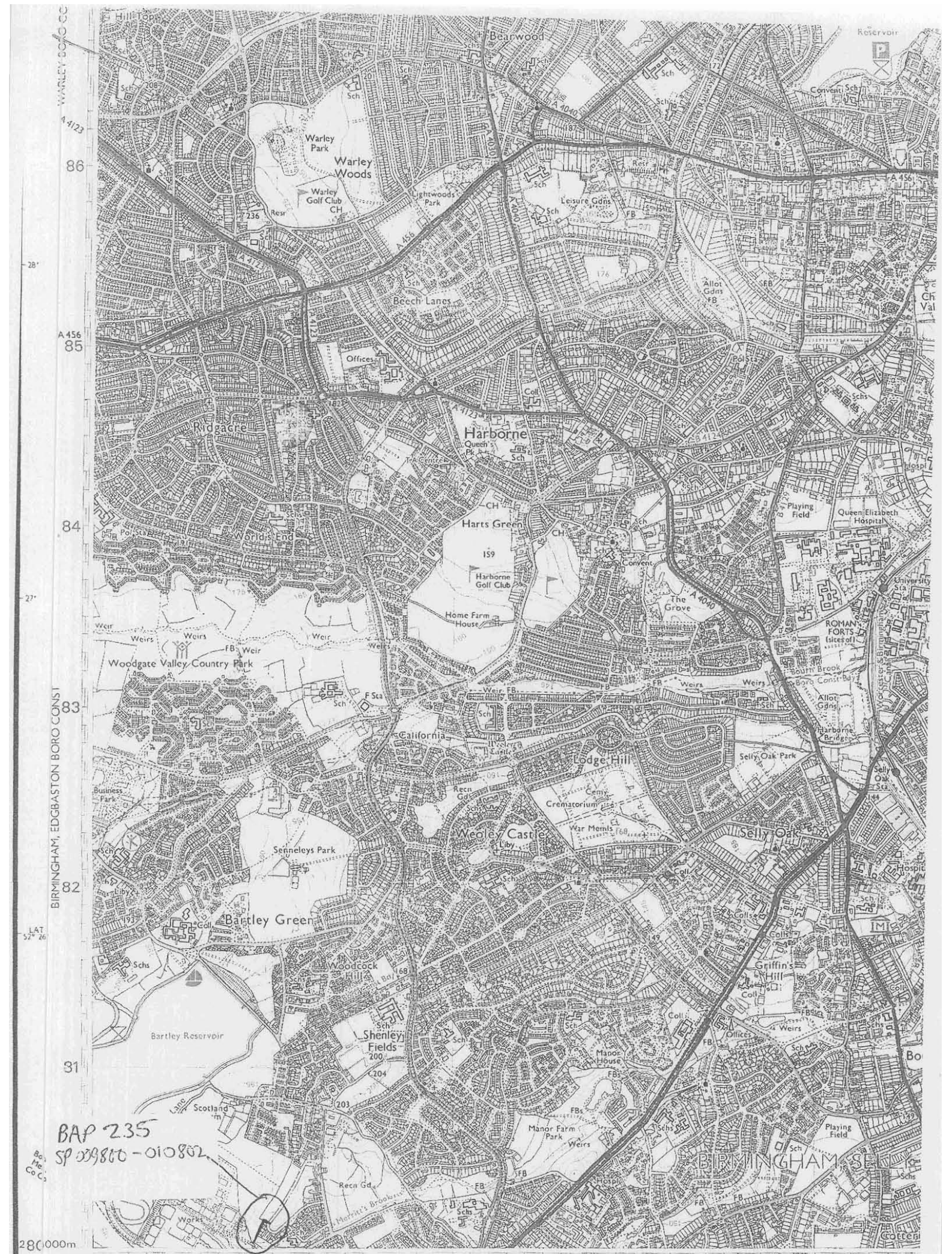
We, the Ramblers Association, Warwickshire Area
c/o S. G. Wallgrove, Area Footpath Secretary, 26 Priory Road, Warwick CV34 4NA

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: 16/9/08

Signed: S G Wallgrove



BAP 235
 SP 09800 - 010800

Statement of Evidence for Path Claim BAP 235

- 1 The path is first recorded on the map with the Northfield Tithe Apportionment of 1840, with the south end turning south east to Merritts Brook Lane (roughly along the later access road). (Held by the City Council in the Central Reference Library.)
- 2 The route is shown, and labelled 'FP', on the first edition of the Ordnance Survey six inch map (1880's).
- 3 The south-west end of the path was diverted when Frankley Reservoir was built c.1891, to link onto the road to Frankley Lodge Farm, although the deposited plans have not been located. The result, however, is shown on the deposited plans for Bartley Reservoir, deposited on 28 November 1921, and held by Warwickshire County Record Office at QS111/607.
- 4 The route is shown on the deposited plans for the Birmingham, Kidderminster and Stourport Railway 1892, in 2 parcels in Frankley Parish. The Book of Reference describes parcels 17 and 18 as 'field and footpath', with the owners including the Surveyor of Highways for Frankley. (Held by WCRO at QS111/471.)
- 5 The northern majority of the path was diverted onto Ley Hill Farm Road, with a footpath link at the southern end of the street, by a Quarter Sessions Highways Order of 1954, with a Certificate of Completion dated 15th February 1962. (Held by the City Council in the Central Reference Library, Archives section, at QS/B/21/6 (Box 20, item 1).)
- 6 The southern end of Ley Hill Farm Road had planning permission for redevelopment, with the affected section of the path being diverted by The Stopping up of Highways (City of Birmingham)(No.3) Order 2007, which was made on 18th June 2007.
- 7 The path is recorded on the (undated) City Council map of public rights of way.
- 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.