

RA Ref. BAP 259

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 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: *Pershore Road South*

to: *tunnel Lane (BAP 300)*

]

~~[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: *7/9/08*

Signed: *S G Wallsgrove*

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 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: 7/9/08

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:~~ Pershore Road South

~~to:~~ Tunnel Lane (BAP 300)

] 8

~~[[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: 7/9/08

Signed: S G Wallsgrove

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):~~

Dated: 7/9/08
Signed: S G Wallsgrove

NB Notice also sent to
British Waterways

57' 56' 55' 54' 53' 52'

BIRMINGHAM, SELLY OAK BORO CONST
A 4040 03 04 05

BIRMINGHAM
A 4411 06 07 08 09

BIRMINGHAM, HALL GREEN BORO CONST
A 4355

North Sea Valley road

BAP 259



Statement of Evidence for Path Claim BAP 259

- 1 The path is first shown, and labelled, on the map with the Kings Norton (Moundsley Yield) Tithe Apportionment of 1840. (Held by the City Council in the Central Reference Library.)
- 2 The path is shown on the deposited plans for the Birmingham West Suburban Railway 1870, in two parcels in Kings Norton parish. The Book of Reference records the three relevant entries as:- parcel 43: Grass Field and public footpath (the owners listed include the Board for Repair of Highways); Parcel 44: canal bridge; and Parcel 45: public footpath (the owners are listed as the canal and the Board for the Repair of Highways). (Held by Warwickshire County Record Office at QS111/304.) These entries show that the path did not go to the canal, but continued along the towpath, over the bridge. The next exit is Tunnel Lane.
- 3 The path is shown, and labelled 'FP', on the first edition of the Ordnance Survey six inch maps (1880's), where it goes south-west from the canal.
- 4 The path leading to the canal is surfaced with tarmac and is in good condition, with no deterrent signs at the canal. There is, in fact, a notice at Tunnel Lane pointing along the towpath saying "Kings Norton".
- 5 The section of the path across the Kings Norton Playing Fields is recorded on the (undated) City Council map of public rights of way.
- 6 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.