

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: (a) The Worthies (b) Allens Croft Road (c) Brandwood Park Road

to: Allens Croft Road Brandwood Park Road Tunnel Lane

~~[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. Wallsgrave, 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: (a) The Worthing (b) Athens Craft Road (c) Brandwood Park Road

to: Athens Craft Road Brandwood Park Road & tunnel lane

~~[[[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. Wallsgrave

RA Ref. BAP 208

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):~~

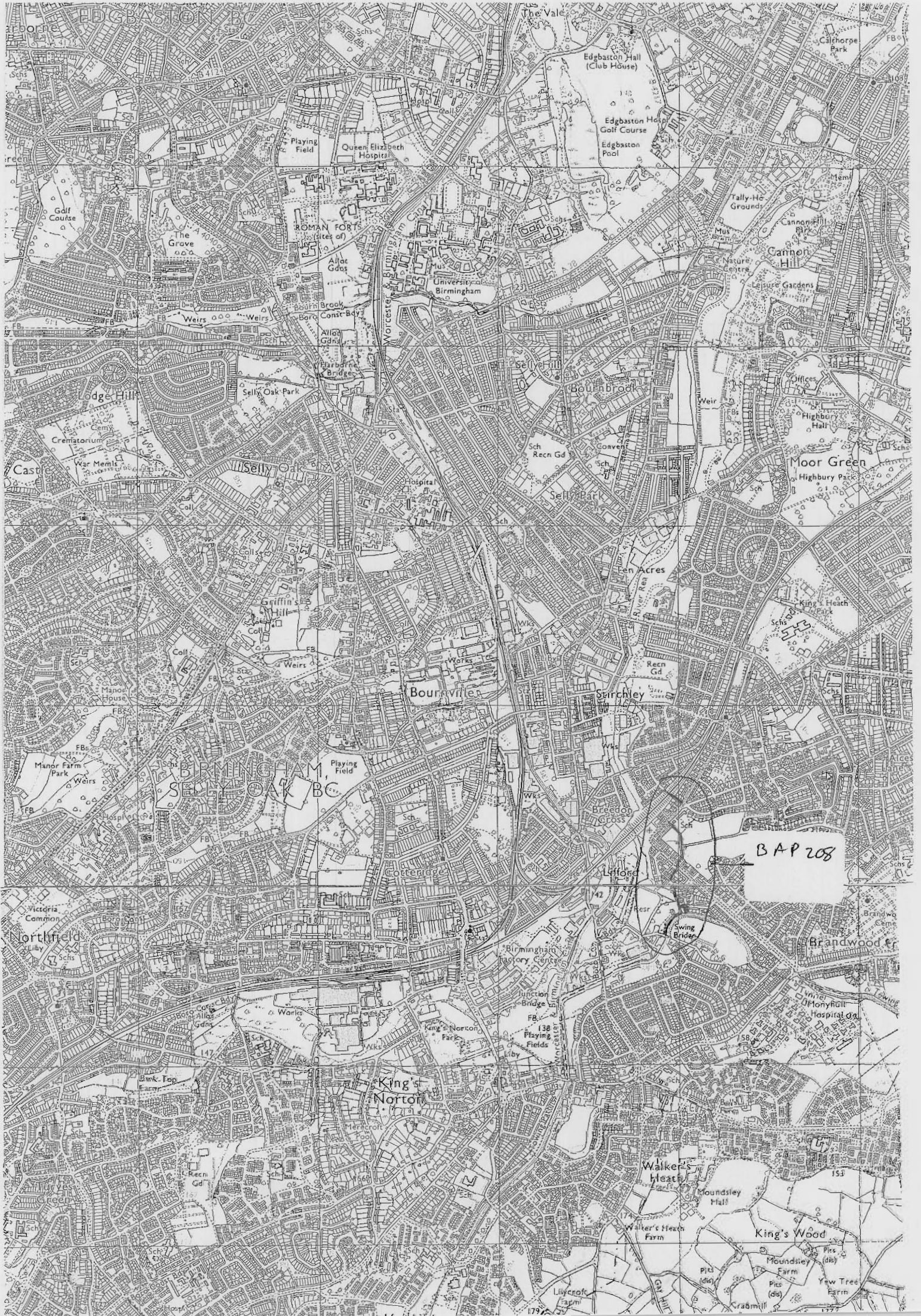
Dated:

7/1/08

Signed:

S G Wallsgrove

NA Notice also sent to
Network Road
Waterloo Housing Association
British Waterways



Statement of Evidence for Path Claim BAP 208

- 1 The path is first recorded on the first edition of the Ordnance Survey six inch map (1880's), when it followed two tracks, in part, with a link between.
- 2 The northern end of the path was diverted onto a new street (The Worthings) with a short section south-east of the railway also being diverted by a Quarter Sessions Highways Order of 1920, with a Certificate of Completion dated 14 April 1921. (Order held by the City Council in the Central Reference Library, Archives section, at QS/B/21/1 (Box 14, Bundle 3, item 30).)
- 3 The section south-east from Allens Croft Road was diverted by a Quarter Sessions Highways Order of 1922, the new length being 102 yards, with a Certificate of Completion dated 28 June 1922. (Order at QS/B/21/1 (Box 14, Bundle 2, item 31).)
- 4 A small section at Brandwood Park Road and Lifford Close was diverted by a Quarter Sessions Highways Order of 1947, with a Certificate of Completion dated 17 January 1949. (Order at QS/B/21/3 (Box 16, item 7).)
- 5 The minutes of the Public Works Committee of the City Council, for January to March 1949, describes the path (Report No.8 under minute No.27021) as going from Allens Croft Road to Tunnel Lane. (Held by the City Council in the Central Reference Library at BCC/AO.)
- 6 The section from Rea Side Crescent/Lifford Close to the canal was diverted by a Quarter Sessions Highways Order of 1952, with a Certificate of Completion dated 21 May 1954. The Order included the creation of a length of the new path along the canal towpath for 37 yards (i.e. to meet the original line of the path), and labels the distance to Tunnel Lane as 120 yards. (Order at QS/B/21/6 (Box 17, item 1).)
- 7 This last section of diverted path, namely from Lifford Close to the canal, was partly closed by The Stopping up of Highways (City of Birmingham)(No.4) Order 2005, which was made on 16th March 2005. The gap from the retained end of the path to the canal was replaced by the estate road (now called Cressy Close) and footpaths being formally adopted.
- 8 All the remaining sections of the path, to the canal, are shown on the (undated) City Council map of public rights of way.
- 9 It is considered, therefore, that the remaining sections of the path, and the canal towpath, subsist as public paths and should be recorded as such on the Definitive Map.