Ref. DefMapSch7Jul02.1

17/5/08

Signed: Sawallynow

Dated:

#### Schedule 7

# Form of Application for Modification Order

Wildlife and Countryside Act 1981

Title of Map: Birming ham Definitive Map To: Transportation Strategy (Development Section), Birmingheum City Council 1 Lancastor Circus, Queensway, Birmingham BA 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 traffie] -from: to. 1 [ adding the [footpath] [bridleway] [byway open to all traffie] Welsh House Farm Road Northfield Road 1 to: [upgrading][downgrading] to a [footpath][bridleway][byway open to all traffic] the footpath][bridleway][byway open to all traffic] from: 40: [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: see affactued, typed, statement of evidence List of documents:

Ref. DefMapSch9Jul02.1

#### Schedule 9

# Form of Certificate of Service of Notice of Application for Modification Order

Wildlife and Countryside Act 1981

Birmingham Definitive Map

Certificate of Service of Notice of Application for Modification Order

Transportation Strategy (Bevelopment Section), Burninghon City Council

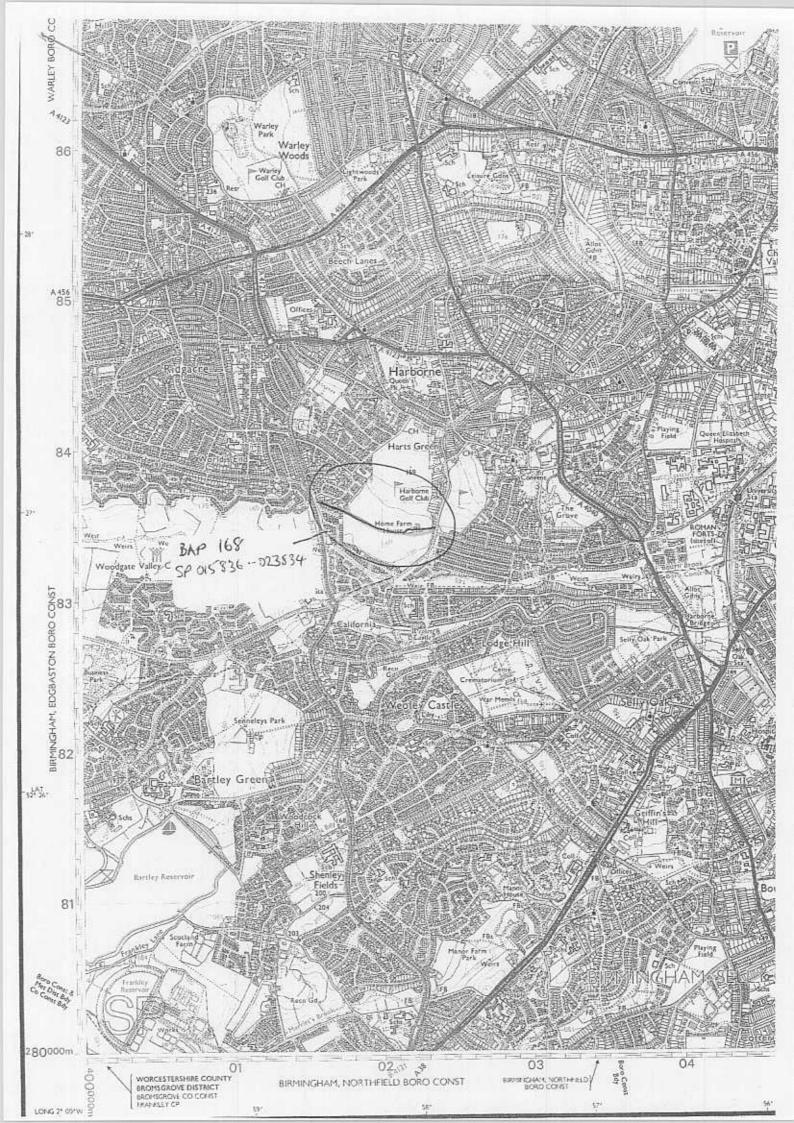
1 Lancastar Circus, auxensway, Birminghem BA 700 of:

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: 17/5/08 Signed: Suwallyware



### BAP168May08

### Statement of Evidence for Path Claim BAP 168

- The path is first recorded I 1871 when it was recorded on the deposited plans for the then proposed Birmingham and Halesowen Junction Railway. (The plans and book of reference are held by Warwickshire County Record Office under reference QS111/309.) It is included in 5 separate parcels, all with the owners listed as including the Harborne Local Board of Health, as Highway Authority, namely 120 "arable field and public footpath", 121 "arable field and public footpath", 124 "farm buildings, fold yard, occupation road and public footpath", 125 "occupation road and public footpath", and 136 "arable field, water course and public footpath".
- The whole route is shown on the first edition (1880's) of the Ordnance Survey 6 inch map.
- The west end was diverted, south, onto Chelsea Way by a Quarter Sessions Highways Order made at the Sessions on 3 July 1952, with the Certificate of Completion being dated 15 February 1962. (The Order is held by the City Council in the Reference Library under reference QS/B/21/6 (Box 19, item 2).)
- The central part of the route, at Home Farm, was the subject of a small diversion in 1996, namely by the Birmingham City Council (Home Farm, Northfield) Public Path Diversion Order 1996, which stated that the new route would be 2m wide. The Order was confirmed on 9 May 1996.
- 5 The west end of the route now turns north, rather than south (as provided for in 3 above), but no Diversion Order has been found.
- 6 The route through the golf course is fenced on both sides.
- 7 The route, with the diversion at the west end, 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.