

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, Queenway, Birmingham B1 7DQ

We, The Ramblers Association, Warwickshire Area
c/o S. G. Wallgrove, Area Footpath Secretary, 26 Priors 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) Elway Road (b) Horrell Road
to: Gametts Green Road Fallindale Road]

~~[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: 31/10/08

Signed: S G Wallgrove

RA Ref. BAP 20

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: 31/10/08

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) Elway Road (b) Horrell Road~~

~~to: Carvelts Green Road Fallinckle Road~~

]

~~[[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:

31/10/08

Signed:

S.G. Wallsgrove

RA Ref. BAP 20

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 Maps*

Certificate of Service of Notice of Application for Modification Order

To: *Transportation Strategy (Development Section), Birmingham City Council*
of: *1 Leicester Circus, Queensway, Birmingham B4 7DQ*

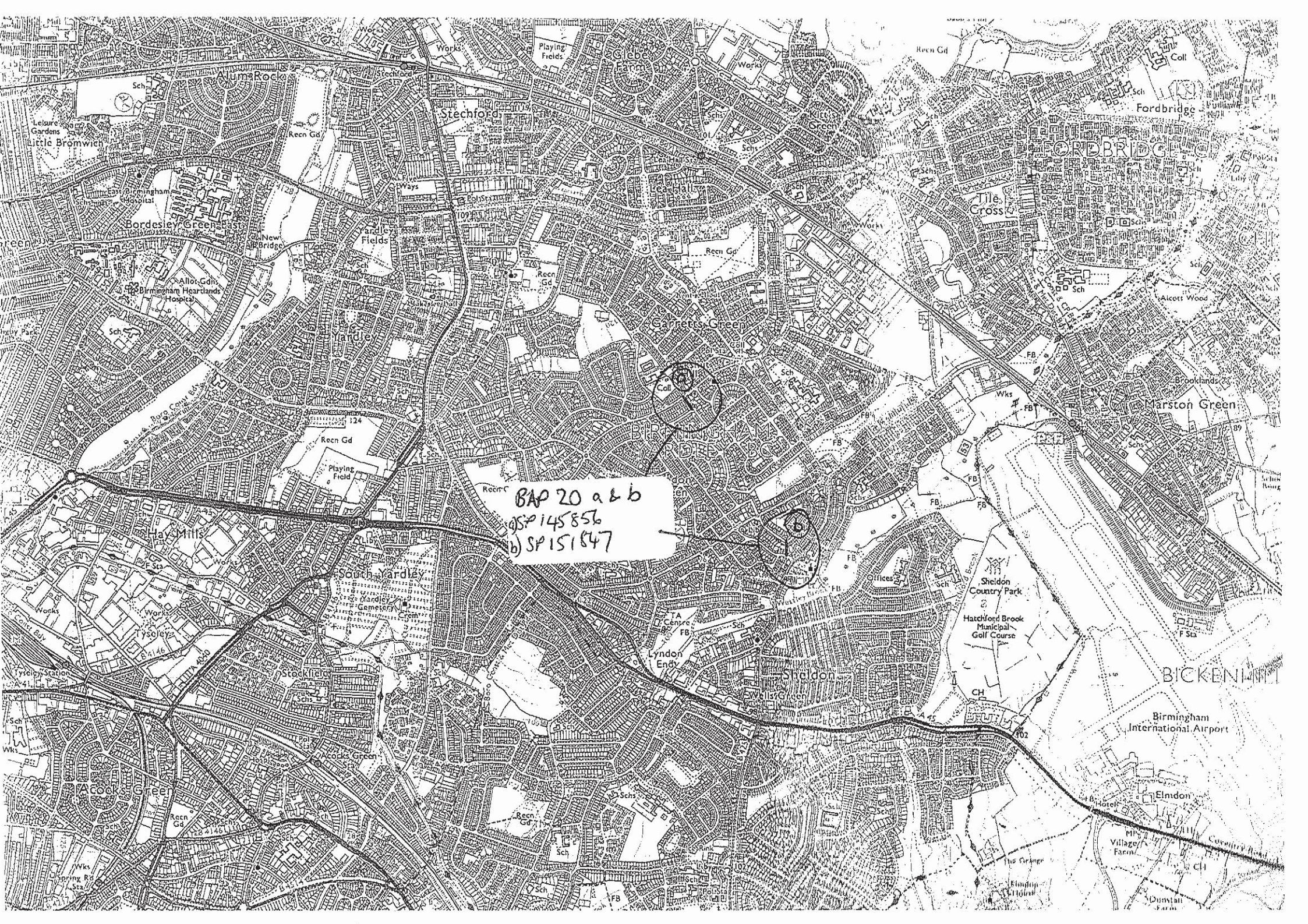
We, the Ramblers Association, Warwickshire Area
c/o S. G. Wallsgrove, Area Footpath Secretary, 26 Priory Road, Warwick CV34 4NA

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: *31/01/08*

Signed: *S G Wallsgrove*



BAP 20 a & b
SP 145856
b) SP 151847



Statement of Evidence for Path Claim BAP 20

- 1 A short section of this path, in the middle, was created by the Sheldon Inclosure Award of 1813, across allotments 62 and 63. (Held by Warwickshire County Record Office at QS75/96.)
- 2 The whole route is shown on the first edition of the Ordnance Survey six inch map (1887).
- 3 The southern part was diverted on to estate roads, with a footpath link from Horrell Road to Fallindale Road, by a Quarter Sessions Highways Order with a Certificate of 30 March 1936. The section north of Brays Road, to Garretts Green Lane, was not affected, except for a short link from Brays Road. (Held by the City Council in the Central Reference Library, Archives section, at QS/B/21/2 (Box 15, item 52).)
- 4 The path is recorded on the Footpaths Map of Warwickshire (Section One) published by the Ramblers Association (Midland Federation) in 1937. A printed note on the map states that "only those tracks, which, from the best information available, are understood to be reputed public ways" are shown on it.
- 5 The footpath link between Garretts Green Lane and Elmay Road was created by a Quarter Sessions Highways Order of 1936, with a Completion Certificate dated 3 May 1960. (Held by the City Council at QS/B/21/2 (Box 15, item 35).)
- 6 Both parts of the route are recorded on the (undated) City Council map of public rights of way.
- 7 The northern section has a tarmac surface, with one bollard, and dropped kerbs at both ends, and is used (unofficially) as a vehicle short cut. The southern section also has a good, tarmac, surface but has concrete bollards at both ends and two, modern, street lights.
- 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.