

APPLICATION FORM
FOR A MODIFICATION TO THE DEFINITIVE MAP AND STATEMENT
Wildlife and Countryside Act 1981

To: Definitive Map & Commons, Countryside Service, Oxfordshire County Council, Signal Court, Old Station Way, Eynsham, Oxford OX29 4TL

I/We*(i) HENLEY & CORING RAMBLERS
of (ii) BRAEBURN, CORING ROAD, WOODCOTE, RG8 0AE

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 (iii):-

(a) ~~Deleting the footpath / bridleway / restricted byway / byway open to all traffic that runs* from: _____ to: _____~~

(b) **Adding the footpath / bridleway / restricted byway / byway open to all traffic that runs***
from: FORESTRY COTTAGES, CHRISTMAS COMMON,
to: HOLLANDRIDGE LANE BY QUEENWOOD COTTAGE .

(c) ~~Upgrading/downgrading to a footpath / bridleway / restricted byway / byway open to all traffic the footpath/bridleway/restricted byway/byway open to all traffic that runs* from: _____ to: _____~~

(d) ~~Varying/adding to the particulars relating to the footpath / bridleway / restricted byway / byway open to all traffic * from: _____ to: _____~~

~~By providing that: _____~~

and shown on the map annexed hereto (see overleaf).

The approximate width of the right of variable 4ft - 10ft.

I/We attach copies of the following documentary evidence [including statements of witnesses] in support of this application:- (Please list documents, continue on a separate sheet if necessary)

(iv) SEE ATTACHED LIST.

Data Protection Act and evidence collection: This application form and the details contained therein will be considered by Oxfordshire County Council to establish whether a right of way exists and will be disseminated widely for these purposes and made available to the public.

Signed:  Date: 30/5/2012

- (i) Insert name of applicant(s)
- (ii) Insert address of applicant(s)
- (iii) Delete as appropriate
- (iv) Insert list of documents
- *Delete as appropriate

NOTES FOR GUIDANCE

1. TO THE APPLICANT

1.1 Schedule 14 to the Wildlife and Countryside Act 1981 establishes a procedure whereby applications may be made to the surveying authority (i.e. the Council) for a modification to the Definitive Map and Statement of rights of way. A number of forms are involved and it is important that you comply with the guidelines included to avoid invalidating the application.

2. APPLICATION FORM - FORM A

2.1 This form describes the modification that is being sought. You should read through the options and chose the most appropriate. Definitions of the different types of right of way are given below. If (b) describes your proposed modification for example, you should cross through the other options and then complete (b) in full. An example is given below:

- (b) **Adding** the *footpath / bridleway / restricted byway/ byway open to all traffic* that runs
from: Mill Lane [SP 2345 6789]
to: Church Lane [SP 2376 6745]

2.2 Definitions

- Footpath** A highway over which the public have a right on foot only, other than such a highway at the side of a public road.
- Bridleway** A highway over which the public have a right of way on foot and a right of way on horseback or leading a horse, with or without a right to drive animals of any description along the highway.
- Restricted Byway** A highway over which the public have a right of way on foot, on horseback or leading a horse and for vehicles other than mechanically propelled vehicles.
- Byway Open to all Traffic** A highway over which the public have a right of way for vehicular and all other kinds of traffic, but which is used mainly for the purpose for which footpaths and bridleways are so used.

2.3 Map

One of the most important requirements of this form is for a map, with the subject route of the application marked **clearly** and **precisely**. The scale of the map should be not less than 1:25,000. However, you are strongly advised to use a larger scale such as 1:10,000 or, ideally, 1:2,500. If you are submitting more than one application, a separate map will be required for each route.

2.4 Documentary Evidence

The Schedule requires that an application should be accompanied by **copies** of any documentary evidence (including statements of witnesses) that the applicant wishes to adduce in support of the application. Copies of documents should include certified photocopies (coloured photocopies where the originals are coloured or the detail unclear) or photographs. Exemption will be made where photocopying or photography is prohibited by the document custodian, but this should be confirmed in writing. The documents submitted in evidence should be listed, together with their sources and reference, on **FORM F**.

3. DETERMINATION OF APPLICATION

If the Council has not determined the application within 12 months of receipt of **FORM A** the applicant may refer the matter to the Secretary of State who, after consulting the Council, may direct the latter to determine the application within a specified period. Appeal may also be made to the Secretary of State and the Council within 28 days if the latter decides not to make an Order.

Documentary evidence list – **Form A:**

- Evidence #1 – Sales particulars from John Clegg & Co
- Evidence #2 – Photographs showing stile, path route proximity, newly erected sign re trespass and Forestry Commission sign displayed in front access road.
- Evidence #3 – Letters between Mr Tipper and Mr Griffiths regarding use of path
- Evidence #4 – Copy of Land Registry Map showing 'unmarked path'
- Evidence #5 – copies of OS Explorer Map 171 relevant to area
- Evidence #6 – Aerial photos
- Evidence #7 – Planning maps and photos
- Evidence #8 – Photographs of path adjacent to and beside Queenwood Cottage

(+ 22 uses evidence forms)