

APPLICATION FOR A MODIFICATION ORDER

Wildlife and Countryside Act 1981
**The Definitive Map and Statement of Public Rights of Way
 in Bath and North East Somerset**

To : *Public Rights of Way, Bath and North East Somerset Council*

of : *Lewis House, Manvers Street, Bath, BA1 1JG*

I/we : Mrs. L. Daly, Clerk to Bathampton Parish Council

*name and
address of
applicant(s)*

of : 67 69 Holcombe Close, Bathampton, Bath, BA2 6UP

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;

N.B. CHOOSE ONE OR MORE OF THE FOUR OPTIONS GIVEN BELOW

<p>* adding the</p>	<p>footpath</p>	<p>from #</p>	<p>BA1/25 tramway path from A36 to Bathampton Down ST779656</p>	<p>to #</p>	<p>Hantone Hill ST778656</p>	<p><i>* delete as appropriate</i></p>
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<p>* upgrading/downgrading the route currently shown as a</p> <p>so that it is shown as a</p>	<p>*footpath *bridleway *restricted byway *byway open to all traffic</p> <p>*footpath *bridleway *restricted byway *byway open to all traffic</p>	<p>from #</p>	<p>to #</p>
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<p>* deleting the</p>	<p>*restricted byway *byway open to all traffic *bridleway *restricted byway *byway open to all traffic</p>	<p>from #</p>	<p>to #</p>
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<p>* varying /adding to the particulars relating to the</p> <p>by providing that</p>	<p>*footpath *bridleway *restricted byway *byway open to all traffic</p>	<p>from #</p>	<p>to #</p>
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and shown on the map accompanying this application.

*explain how
you want
the
particulars
altered*

*list the
evidence
which
supports
your
application*

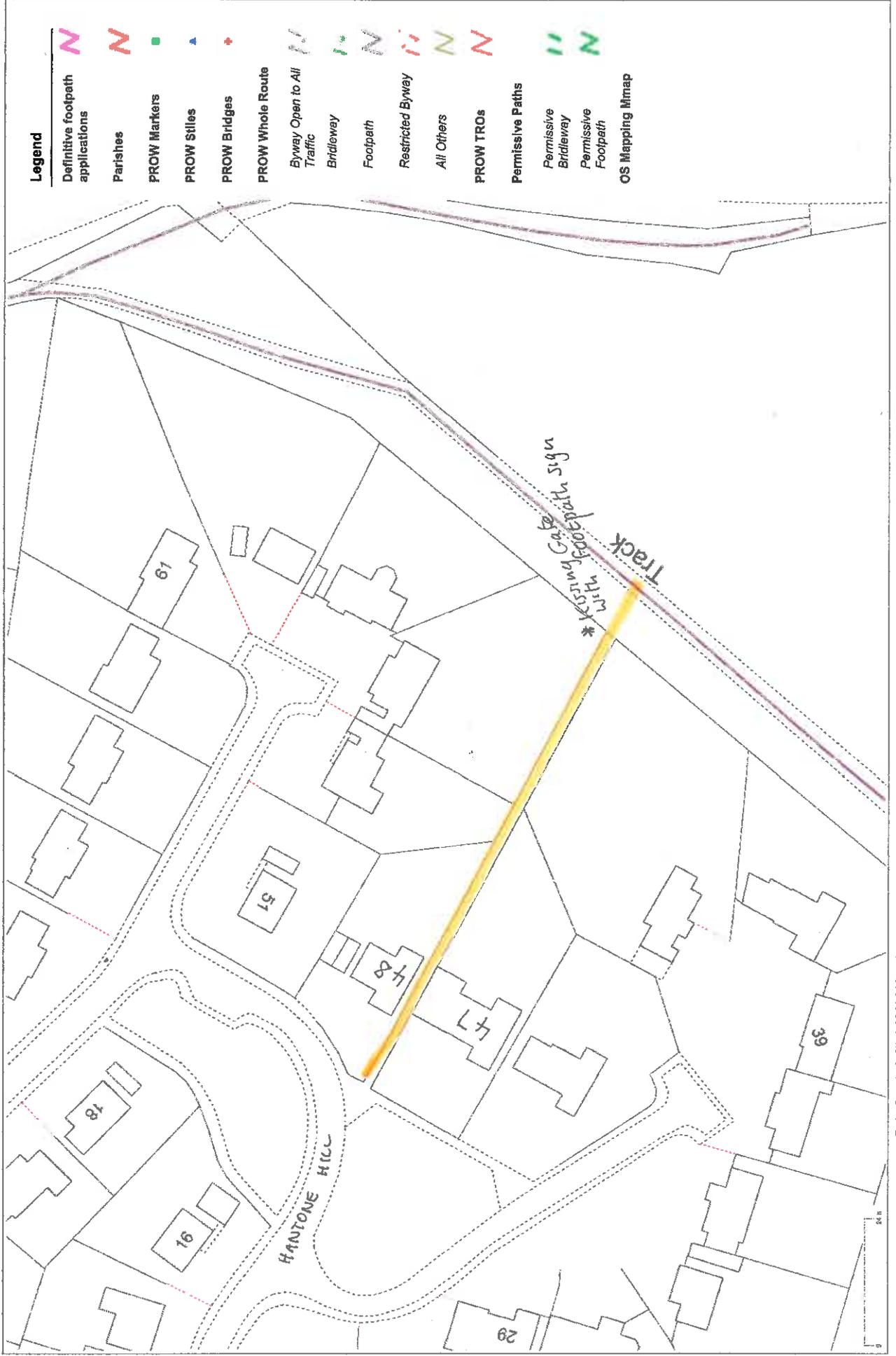
I/we attach copies of the following evidence in support of this application;

1. User evidence forms demonstrating un-impeding use of this footpath by ~~28~~ 33 people over a 20-year period
2. Map
3. Proof of efforts to contact landowner (unknown)

Dated 21st February 2022

Signed





Legend

Definitive footpath applications	
Parishes	
PROW Markers	
PROW Stilts	
PROW Bridges	
PROW Whole Route	
Byway Open to All Traffic	
Bridleway	
Footpath	
Restricted Byway	
All Others	
PROW TROs	
Permissive Paths	
Permissive Bridleway	
Permissive Footpath	
OS Mapping Mimap	

CERTIFICATE OF SERVICE OF NOTICE
OF
APPLICATION FOR A MODIFICATION ORDER

Wildlife and Countryside Act 1981
**The Definitive Map and Statement of Public Rights of Way
in Bath and North East Somerset**

To : *Public Rights of Way, Bath and North East Somerset Council*
of : *Lewis House, Manvers Street, Bath, BA1 1JG*

I/we : *Mrs. L. Daly, Clerk to Bathampton Parish Council*

of : *67 69 Holcombe Close, Bathampton, Bath, BA2 6UP*

*name and
address of
applicant(s)*

hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with and attach a copy of each notice served pursuant to that Paragraph.

Dated *13th February 2022*

Signed



Paragraph 2 of Schedule 14 to the Wildlife and Countryside Act states that ;

"the applicant shall serve a notice stating that the application has been made on every owner and occupier of any land to which the application relates"

"if, after reasonable inquiry has been made, the authority are satisfied that it is not practicable to ascertain the name or address of an owner or occupier of any land to which the application relates the authority may direct that the notice ... may be served by addressing it to him by the description 'owner' or 'occupier' of the land (describing it) and by affixing it to some conspicuous object or objects on the land"

copy

NOTICE OF APPLICATION FOR A MODIFICATION ORDER

Section 53(5) and Schedule 14 to the Wildlife and Countryside Act 1981
**The Definitive Map and Statement of Public Rights of Way
in Bath and North East Somerset**

To : "owner or occupier"
of : The footpath between public footpath BA1/25 to Hantone Hill

name and address of owner or occupier

Notice is hereby given that on 21st day of February 20 22
the

give the date of your application

I/we : Mrs. L. Daly, Clerk to Bathampton Parish Council
of : bathamptonparishclerk@gmail.com

name and address of applicant(s)

made application to the Public Rights of Way Team, Bath and North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG that the Definitive Map and Statement for the area be modified by;

N.B. CHOOSE ONE OR MORE OF THE FOUR OPTIONS GIVEN BELOW

*adding the	*footpath	from#	Footpath BA1/25 ST779656	to #	Hantone Hill ST778656	* delete as appropriate - take detail from application
	*bridleway *restricted byway *byway open to all traffic					
*upgrading/downgrading the route currently shown as a	*footpath	from#		to #		* fill in grid references for start and end of routes
	*bridleway *restricted byway *byway open to all traffic					
to be shown as a	*footpath *bridleway *restricted byway *byway open to all traffic					
*deleting the	*footpath *bridleway *restricted byway *byway open to all traffic	from#		to #		
*varying /adding to the particulars relating to the	*footpath *bridleway *restricted byway *byway open to all traffic	from#		to #		

and shown on the map accompanying this notice.

explain how you want the particulars altered

Dated 21st February 2022 Signed pp 

3 High Street
Bathampton
Bath
BA2 6SY

15 January 2021

COPY

Mr J. Walls
49 Hantone Hill
Bathampton
Bath
BA2 6XD

Dear Mr Walls

BATHAMPTON FOOTPATH REGISTRATIONS

This letter is by way of a request: I wondered if you might have any information regarding the landowner of the footpath next to your house?

The reason for this request is that, under the Countryside and Wildlife Act, the Parish Council needs to register the path as a public right of way; registration involves formally notifying the landowner. In the case of this particular path, from Hantone to the tramway, land ownership is unclear.

If you have any information on this matter, it would be much appreciated if you could pass on details to either of the following:

- David Beard (Parish Councillor) email: David.Beard@uwe.ac.uk Telephone: 01225 336722
- Liz Daly (Parish Council Clerk) email: bathamptonparishclerk@gmail.com Tel: 07980627391

Thank you in advance for any assistance you can provide.

Yours sincerely

David Beard
Bathampton Parish Council

3 High Street
Bathampton
Bath
BA2 6SY

15 January 2021

Mr A. McLaren
47 Hantone Hill
Bathampton
Bath
BA2 6XD

COPY

Dear Mr McLaren

BATHAMPTON FOOTPATH REGISTRATIONS

This letter is by way of a request: I wondered if you might have any information regarding the landowner of the footpath next to your house?

The reason for this request is that, under the Countryside and Wildlife Act, the Parish Council needs to register the path as a public right of way; registration involves formally notifying the landowner. In the case of this particular path, from Hantone to the tramway, land ownership is unclear.

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Thank you in advance for any assistance you can provide.

Yours sincerely

David Beard
Bathampton Parish Council

SUMMARY OF MODIFICATION ORDER APPLICATION

Wildlife and Countryside Act 1981
**The Definitive Map and Statement of Public Rights of Way
 in Bath and North East Somerset**

Name and address of Applicant Mrs. L. Daly, Clerk to Bathampton Parish Council
67 69 Holcombe Close, Bathampton, Bath, BA2 6UP

Date of Application 21st February 2022

Description

*Please describe the route starting at one end and working through to the other end.
 Describe any feature of note, roads, landmarks, buildings, hedges etc.
 If the route has a name or nickname please give it here.*

This path connects an existing registered public footpath (BA1/25, known as the tramway footpath) to Hantone Hill residential area. The path begins at BA1/25, to the south of the A36 Warminster Road, heading westward through a kissing gate marked with a footpath sign, and proceeds between garden boundaries marked by high panelled fencing on both sides. The path passes between numbers 47 and 49 Hantone Hill and ends at the Hantone Hill road.

Length

*Please give the approximate length of the entire path in metres.
 If you are claiming more than one path in the same application please give the length of each path separately.*

148 yards

Width

*Please give the full width of the path you are claiming.
 Please also give the width of the claimed path as it is now*

Width claimed : 4-5 feet

Width now : 4-5 feet

Nature of surface

Please describe the surface of the path e.g. grass, made up track, ploughed, mud.

Originally tarmac, but degraded over time

Location of structures

Please give details and grid references for any gates, stiles, fences, bollards, barriers etc which are on the route now. Do not give details of fences if they run beside the route unless they are encroaching.

Structure	Grid Ref	Structure	Grid Ref	Structure	Grid Ref
Kissing Gate with round yellow footpath sign	ST779656				