

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*

We : *Stephen Ward of 6 Yew Tree Close, Bishop Sutton, Bristol BS39 5UG and
 Susan Emmett of Hill Rise, Church Lane, Bishop Sutton, Bristol BS39 5AX*

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

* adding the	* footpath in Bishop Sutton	from #	its junction with public footpath CL20/20 at grid reference ST 5865 5936	to #	a junction with Church Lane at grid reference ST 5876 5940	* delete as appropriate
	*bridleway *restricted byway *byway open to all traffic					* fill in grid references for start and end of routes
* upgrading/downgrading the route currently shown as a	*footpath *bridleway *restricted byway *byway open to all traffic	from #		to #		
so that it is shown as a	*footpath *bridleway *restricted byway *byway open to all traffic					
* deleting the	*restricted byway *byway open to all traffic *bridleway *restricted byway *byway open to all traffic	from #		to #		explain how you want the particulars altered
* varying /adding to the particulars relating to the	*footpath *bridleway *restricted byway *byway open to all traffic	from #		to #		list the evidence which supports your application
by providing that						

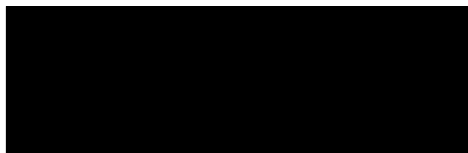
and indicated by a thick pink line on the map accompanying this application.

We attach copies of the following evidence in support of this application:

- A 22 B&NES Rights of Way User Evidence Forms
- B 1840s Tithe Map extract. The footpath in question (being part of 'Stockland End Lane') is indicated by our black dotted line immediately below it.
- C Ordnance Survey 1947-65 Series. The footpath in question (marked as 'Track') is indicated by our black dotted line immediately below it.
- D three photographs of the Notices (i.e. Form B) (in situ) relating to this Application, taken on 20 Oct 2021
- E five photographs of the path, taken on 19 October 2021.

Dated 20 October 2021

Signed



DMMO Application

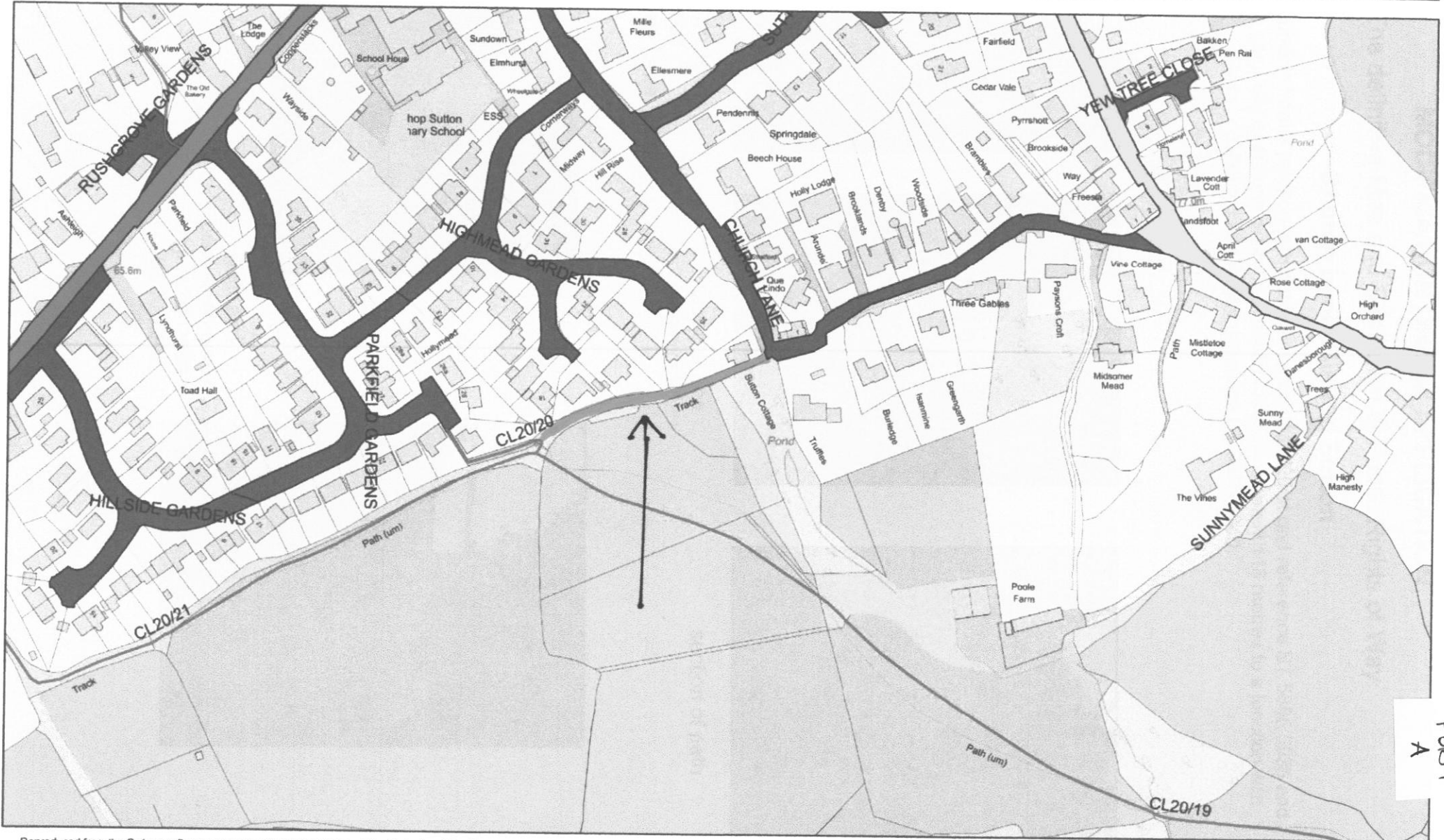
Public road



Public footpath already recorded on the DM&S



Scale 1:2500



ref.
FORM
A

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 : *The owner or occupier*
 of : *The track commencing from a junction with public footpath CL20/20 at grid reference ST 5865 5936 and proceeding in a generally east-north-easterly direction for approximately 118 metres to a junction with Church Lane at grid reference ST 5876 5940.*

Notice is hereby given that on the 20th day of October 2021:

We : *Stephen Ward of 6 Yew Tree Close, Bishop Sutton, Bristol BS39 5UG and Susan Emmett of Hill Rise, Church Lane, Bishop Sutton, Bristol BS39 5XA*

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#	its junction with public footpath CL20/20 at grid reference ST 5865 5936	to #	a junction with Church Lane at grid reference ST 5876 5940
	*bridleway *restricted byway *byway open to all traffic				

* delete as appropriate - take detail from application

*upgrading/downgrading the route currently shown as a	*footpath	from#		to#	
	*bridleway *restricted byway *byway open to all traffic				
to be shown as a	*footpath *bridleway *restricted byway *byway open to all traffic				

* fill in grid references for start and end of routes

*deleting the	*footpath *bridleway *restricted byway *byway open to all traffic	from#		to#	
---------------	--	-------	--	-----	--

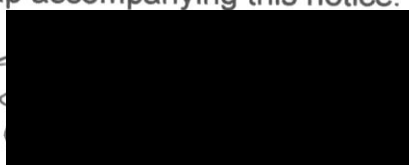
*varying/adding to the particulars relating to the	*footpath *bridleway *restricted byway *byway open to all traffic	from#		to#	
--	--	-------	--	-----	--

by providing that

and indicated by a thick pink line on the map accompanying this notice.

Dated 20 October 2021

Signed



MODIFICATION ORDER APPLICATION

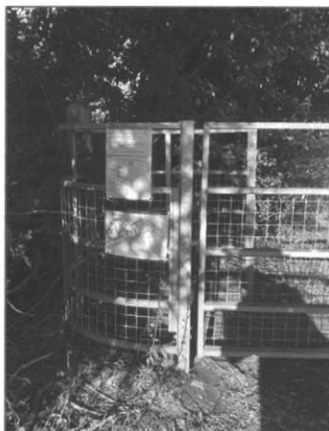
The Definitive Map and Statement of Public Rights of Way

Church Lane, Bishop Sutton

The track commencing from a junction with public footpath CL20/20 at grid reference ST 5865 5936 and proceeding in a generally east north-easterly direction for approximately 118 metres to a junction with Church Lane at grid reference ST 5876 5940.



Notice to owner
(plus map) at
junction of path
with
Church Lane
(as per Form B)



Notice to owner
(plus map) at gate
and pedestrian
gate
at junction with
CL20/20
(as per Form B)

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*

We : *Stephen Ward of 6 Yew Tree Close, Bishop Sutton, Bristol BS39 5UG*
and
Susan Emmett of Hill Rise, Church Lane, Bishop Sutton, Bristol BS39 5AX

*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 20 October 2021 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”.

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 Applicants *Stephen Ward of 6 Yew Tree Close, Bishop Sutton, Bristol BS39 5UG and Susan Emmett of Hill Rise, Church Lane, Bishop Sutton, Bristol BS39 5AX*

Date of Application *20 October 2021*

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.

The path extends for some 118 metres from its junction with public footpath CL20/20 at grid reference ST 5865 5936 to a junction with Church Lane, Bishop Sutton at grid reference ST 5876 5940. It is part of what in earlier times was known as Stockland End Lane and formed a section of the historic road that led from what is now the A368 to Top Sutton.

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.

approx. 118 metres

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 : the current width, being an average of 2.75 metres.

Width now : average 2.75 metres

Nature of surface

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

Although there may be a haphazard stone foundation - perhaps historic - the path generally consists of grass-covered hard-packed soil / mud.

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
None, apart from 7-bar gate and accompanying pedestrian gate at the junction with footpath CL 20/20	ST 5865 5936

MODIFICATION ORDER APPLICATION

ref.
EVIDENCE
FORM A

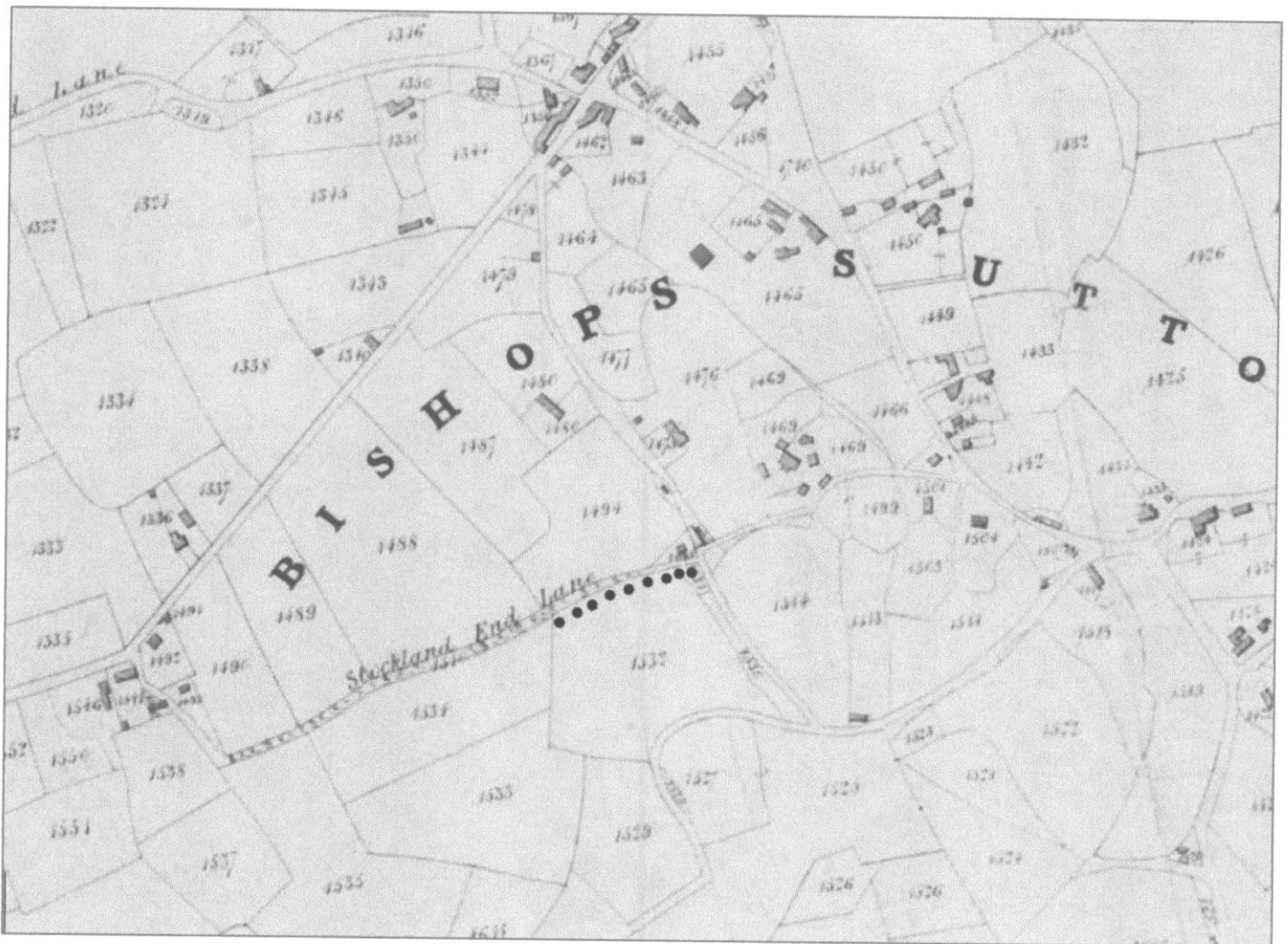
The Definitive Map and Statement of Public Rights of Way

Church Lane, Bishop Sutton

The track commencing from a junction with public footpath CL20/20 at grid reference ST 5865 5936 and proceeding in a generally east-north-easterly direction for approximately 118 metres to a junction with Church Lane at grid reference ST 5876 5940.

1840s Tithe Map extract. (Evidence 'B' on Form A).

The path (being part of 'Stockland End Lane') is indicated by our dotted black line immediately below the path.



MODIFICATION ORDER APPLICATION

OFF
EVIDENCE
FORM A

The Definitive Map and Statement of Public Rights of Way

Church Lane, Bishop Sutton

The track commencing from a junction with public footpath CL20/20 at grid reference ST 5865 5936 and proceeding in a generally east north-easterly direction for approximately 118 metres to a junction with Church Lane at grid reference ST 5876 5940.

Ordnance Survey 1947-65 Series. (Evidence 'C' on Form A).

The path (denoted by OS as 'Track') is indicated by our dotted black line immediately below the path.

