

Application Form - Form 4

BRISTOL CITY COUNCIL APPLICATION FOR A MODIFICATION TO THE DEFINITIVE MAP AND STATEMENT Wildlife and Countryside Act 1981

NOTES FOR GUIDANCE OVERLEAF - PLEASE READ CAREFULLY

To: Service Director Legal Services
Bristol City Council, City Hall, Bristol BS3 9FS (Reference: DM IE0.1415).

I/We (1) ALAN WILLIAM PREECE
Of (2) 12 SOUTH DENE, STOKE BISHOP
BRISTOL BS9.2BW

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 (3):-

- a. **DELETING** the *footpath/ *bridleway/ *byway open to all traffic: [**delete as appropriate*]
- b. **ADDING** the *footpath/ *bridleway/ *byway open to all traffic: [**delete as appropriate*]
- c. **UPGRADING/DOWNGRADING** the *footpath/ *bridleway/ *byway open to all traffic: [**delete as appropriate*]
- d. **VARYING/ADDING** to the particulars relating to the *footpath/ *bridleway/ *byway open to all traffic: [**delete as appropriate*]

Which runs from: 1. West Dene | 2. Cheyne Rd | 3. Cheyne Rd | 4. Cheyne Road
To: 1. Stokehodgetse | 2. Druid Hill | 3. Stokehodgetse | 4. West Dene

And is shown on the map annexed hereto(4)

I/We attach **copies** of the following documentary evidence (including a list of witnesses who have completed evidence forms) in support of this application:- (5)

1. Application letter
2. MAP
3. Four Form 8 with G. References
4. WITNESS NAMES LIST - Appendix 5 of Appm. letter
5. 970 WITNESS FORMS No. 7

Signed: [REDACTED] Dated: 1 May 2018

Guidance Notes : Application Form – Form 4

This form, correctly completed, describes the modification that is being sought for the map. You should read through options (a) to (d) and decide which is the most appropriate for the modification you are seeking.

- (1) Insert name of applicant(s)
- (2) Insert address of applicant(s)
- (3) Definitions of the different types of right of way are given below. If (b) describes your proposed modification you should cross through the other options and complete (b) in full. An example is given below:
 Example:
 (b) ADDING the ~~*footpath~~/~~*bridleway~~ ~~/*restricted byway~~
 Which runs from: Dark Lane
 To: Light Lane
- (4) It is recommended that a map, with the claimed route of the application clearly and precisely marked (both length and width) accompany this form. The rights of way team can supply a base map showing the local area if this assists.
- (5) The **copy** documents submitted in evidence should be listed, indicating their sources. Examples of the type of evidence is listed on the **Evidential Checklist (Form 8)**. Copies of documents should include certified photocopies and, where appropriate, show colouring identical to the original. You should also include a list of people who have completed evidence forms.

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 the following, but no other, rights of way, that is to say, a right of way on foot and a right of way on horseback or leading the 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 the vehicles other than mechanically propelled vehicles, with or without the right to drive animals.

Application for a modification order for four routes as Public Rights of Way across Stoke Lodge Parkland BS9 1BN.

Summary

The land which these paths cross ^{Appendix 1} comprises approximately 24 acres of grassland and trees which has been the property of Bristol City Council since it was procured by the city in 1947. It has been used for educational purposes by different entities since that date. The house has been and is currently an Adult Education Centre and is not affected by this application. Bristol City Council planning office regard Stoke Lodge as a public recreation space (see: *"and that the playing fields across the boundary represent a much larger and freely accessible public amenity space"* ^{Appendix 2}). The public have used the field as a walking route to different locations which will be described later, over the whole of the period since 1947. There is at least one of these footpaths that was shown on "Find my Place" 1880, local land registry maps ^{Appendix 3a} in 1895, and in 1924 ^{Appendix 3b}, and this is still visible to this day during periods of drought, and which almost coincides with the current marked **red path** that is part of this claim. I have used all of the paths since moving to a house adjoining Stoke Lodge in 1972 and gained knowledge of use of the field from inhabitants who used the field long before me.

- a. Public access has been carried out **without force**, as there has always been free access by very many routes, so that no-one has been prevented from entering the area and seeking to use the route without hindrance. All four of the entrances involved in this claim were present in 2011 when the TVG application was made, and in 2016 at the Public Inquiry, and shown to be in existence over the previous 20 years.
- b. At all times access has been **without secrecy** since ground staff, other occupants undertaking organised or informal sport, and all other users have been aware of the presence of the public. The City Council has provided two litter/dog-bins (one at the north east corner and one alongside the entrance at West Dene/Ebenezer Lane), and in 1990 Avon CC intended to facilitate at least one public entrance ^{Appendix 4a and b} at Cheyne Road although the gate mentioned in their letter was never actually installed, only a bollard.
- c. Use of these routes has been **without permission** as was ascertained at a Public Inquiry in 2016 regarding registration of Stoke Lodge parkland as a Town or Village Green.

I wish to demonstrate that this has been so since December 1997 for a significant number of local residents who have been asked to describe their use of any of the four routes that have been notified to Bristol City Council Public Rights of Way office in December 2017.

All of the above points were confirmed by Bristol City Council in their briefing note to Cabinet dated 22 April 2010 where it states at clause 2.41: *"the playing field (Stoke Lodge Parkland) is currently unfenced and allows unfettered community access"*. The full document (23 pages) is available to view on <http://www.stokelodgetvg.co.uk/media/1016/v1110-bristol-city-council-briefing-note.pdf>

Stoke Lodge parkland effectively divides Stoke Bishop residences on the North and North-West aspect of Stoke Lodge from shops, school, restaurants, public house and other facilities

on the South and South-West side. It is natural therefore that residents would regularly use Stoke Lodge as a quiet, short, easy and safe access route between home and the many facilities, as well as Stoke Lodge House which is itself a destination for voting and for adult education classes. However the Parkland has also provided pathways for longer routes with origins outside Stoke Bishop.

Currently part of the Parkland is leased to Cotham Academy for occasional team sports lessons although they have not used the site since 2014, nor have any local sports clubs used the site for organised games since that date, presumably because the site has not been maintained. The part of the site not leased to Cotham Academy consists of the Adult Learning Centre and an extensive arboretum containing many long-standing trees. Some of these were planted in mid-Victorian times and are an important part of Bristol's green heritage, and act as an attraction for visitors. Although the claimed paths cross areas once used for organised games, it was always possible to circumvent the active areas and not interfere, in much the same way as PROWs across arable fields tend to divert walkers on a temporary basis during the growing season or where cattle are grazing. It is evident that tracks defining the claimed routes have started to appear well defined since the use for organised sports has ceased.

The Routes

1. Cheyne Road to Druid Hill Top path and vice-versa (Blue route)

This is the longest of the three routes and is approximately 510m long but comprises only a section of many routes that have been part of life for many years. For example, this route is an integral part of the route from Clifton Suspension Bridge to Penpole Lane, Shirehampton (www.bristolgreenwalk.org). The south-east entrance is adjacent to the new cell-phone mast at the junction of Parrys Lane and Shirehampton Road and is in the form of a low stile bounded by a wall on one side and by a cross braced end-of-fence post that demonstrates that this was always an entrance. There has not to my knowledge since 1972 been any barrier at this point. In very recent years a cell-phone-mast cabinet has been placed on the pavement side of the entrance, but not obstructing free access. The north-west entrance is where Cheyne Road meets the boundary of Stoke Lodge. It was shown as a stile leading to a footpath across the field on pre-1900 Ordnance survey maps. The entrance itself was fitted with a central bollard to deter motor cycles and other vehicles in about 1990, and at present has a large limb of an oak tree, which fell in 1989, across the entrance but spaced off to effectively make it a footpath difficult for vehicles to negotiate – it has remained so and serves almost as a stile. The route is used, amongst others, by residents of Cheyne Road, Stoke Paddock Road and Bell Barn Road to access the main centre of Stoke Bishop at Druid Hill where there are shops, a Post Office, garage, restaurants and the Village Hall. The reverse route not only forms part of the Bristol Green Walks Route but is the main way residents from the central part of Stoke Bishop on Druid Hill, Old Sneed Avenue and many other roads can walk through to Blaise Estate and Trymside.



The blue marked route (Cheyne Road to Druid Hill top) showing from the left 1) the Cheyne Road entrance, 2) the trackway to the entrance, 3) the trackway to Druid Hill and 4) the Druid Hill entrance

1. West Dene to Cheyne Road path and vice versa.(Yellow route)

This is a route I and my family have used regularly since 1972. The West Dene entrance is actually off Ebenezer Lane and is through a 2m wide gateway which until 1986 had a low steel mesh gate without any latch or lock and which was spring loaded to close it. The gate was removed in late 1980s and the hinges and remains of the hasp were oxy-acetylene cut off to make free unobstructed access for one of the Bristol Marathons. It has remained so to this date and certainly no gate existed during the period 1997 to 2017. The path traverses the side of the derelict pavilion and turns directly to Cheyne Road. This route is a direct way, for residents of West and South Dene, Woodland Grove, and Coombe Lane, to the Shirehampton Road shops which has a Co-op, Tesco, hairdressers, Veterinary practice and the Mill House pub amongst other facilities. In the past (before 1970) the origin of this route and to Stoke Lodge House was through a gateway in the garden of the right-hand of the pair of cottages in Ebenezer Lane. Evidence of this entrance is still there, as is the trackway in the grass to Stoke Lodge House, clearly visible on Google Earth during dry weather. It is also used as a route by Cheyne Road and other residents to the No. 3 bus route at the far end of West Dene.



Yellow marked route from West Dene to Cheyne Road showing 1) the West Dene entrance (with BCC provided litter/dog-bin), 2) the trackway and 3) the Cheyne Road entrance.

2. West Dene to Stoke Lodge path. (Red route)

This is a long established pathway which was the original Cedar Park School route for children to get school meals, the building for which was demolished and replaced with two houses in 1993, and is shown as a footpath on the house deeds of at least one house in Stoke Paddock Road. The start of the path for the last 20 years at least, has been the gateway listed above which had the gate removed in the late 1980s and has been open ever since. The path is alongside the derelict pavilion, traverses the field to the right (or left) of the Stoke Lodge House grounds, and joins the tarmac car park alongside the house that exits to Shirehampton Road. This is still a very popular route for children from the Coombe Lane, West and South Dene road area to Cedar Park (Stoke Bishop C of E) School. It also gives residents access to the house which is an Adult Learning Centre and also serves as Polling Station for the Ward. It also forms the route to the No. 4 bus stops, and recently a pedestrian crossing has been created to assist access to Cedar Park and westbound bus routes.



Red marked route from West Dene entrance and its arrival at tarmac roadway alongside the Stoke Lodge House Grounds. (The Arris fencing visible in the left hand photo is a very recent installation to protect the public from the derelict pavilion on H&S grounds).



The predecessor of the red route from Ebenezer Lane (West Dene did not exist until 1926) to Stoke Lodge House, which was modified to the present route when Cedar Park School was re-sited and the cottage closed off the entrance in the 1970s.

3. Cheyne Road to Stoke Lodge House path (green route).

This is a much used short cut from Cheyne Road, Stoke Paddock Road, Bell Barn Road and Coombe Bridge Avenue to Stoke Lodge giving access to the Adult Learning Centre and to the house for events such as meetings, classes and Polling. It is also an access point to Shirehampton Road bus-stops and a route to Cedar Park School. The route uses the way through the boundary at Cheyne Road shared by the

blue and *yellow* routes and which has been designated a public access point since Avon County Council restored the entrance in 1990. Since 2014 there has been a children's play park at the end of this path, which has increased the footfall recently.

In response to an initial appeal at the Stoke Bishop Neighbourhood Forum residents have contacted me to request copies of the witness statement forms. I have never met many of these people before and support spread entirely by word-of-mouth.

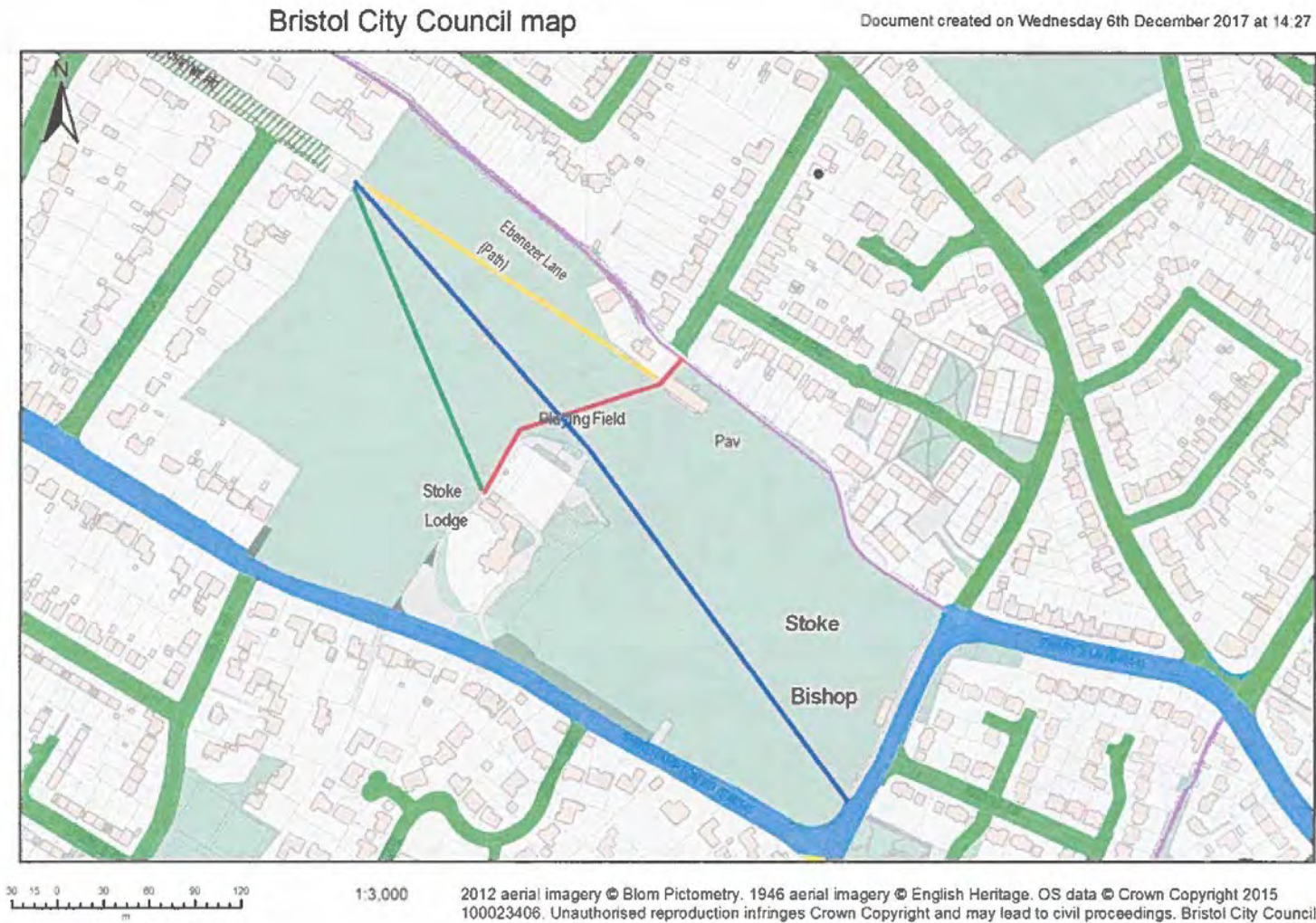
My application is to ask that these four paths which have clearly been used for more than two generations should be regularised and recorded.

I attach 97 witness statement forms from users of the stated paths all of whom are from the locality. Also attached is a list of their names.^{Appendix 5}

I urge the PROW&G committee to support the application.



Professor Alan William Preece
12 South Dene
Stoke Bishop
BRISTOL
BS9 2BW
24 April 2018



Appendix 2

Item no.

DEVELOPMENT CONTROL () DELEGATED 1 Cheyne Road Bristol BS9 2DH

a single large south facing window, however this would not detrimentally overlook or lead to significant additional loss of privacy to No. 14 Stoke Paddock Lane. Owing to its siting the large rooflight above the front infill section would avoid overlooking any neighbouring properties.

Concern was raised that the enlarged garage would be overbearing and lead to an oppressive sense of enclosure to the south eastern corner of the garden to neighbouring No. 1a. It is noted in this regard that the proposal would bring the garage further off the boundary, and amended plans would reduce the increase in the height of the ridgeline to the garage roof, as well as its forward extent. With regard to the amenity space to No. 1a it is also considered that the vast majority of usable space to this property is located to the western side, away from the proposed alterations and unaffected.

The applicant was asked to consider the impact of further loss of rear garden space in this location. It was noted that the large front garden area would remain, the proposal would still retain an area of rear garden, and that the playing fields across the boundary represent a much larger and freely accessible public amenity space. On this basis the additional loss of garden would not warrant refusal.

Ancillary Use

Concern was raised that the consolidation of the extended space into a more uniform and legible internal layout, alongside the incorporation of additional space and a mezzanine floor to the garage could imply the creation of a new dwelling. This would not be acceptable as the necessary assessment for such a proposal has not been carried out under this householder application. Therefore, and for the avoidance of doubt a condition would be added to any approval stipulating that the approved scheme remain ancillary to the function of the main dwellinghouse.

Overall, and while the cramped arrangement of extensions and outbuildings along this part of the host dwelling's boundary with immediate neighbours is not ideal, the amended proposal is concluded to be acceptable on balance and would not warrant refusal in this instance.

3. TREE PRESERVATION ORDER (TPO)

It is noted that there is a TPO (No. 1192) for a large English Oak which affects the subject property. The tree itself is located outside the boundary of the property and its canopy marginally impacts the far north-western corner of the property. There are no works planned for this part of the site and so there is no concern regarding harm to the protected tree.

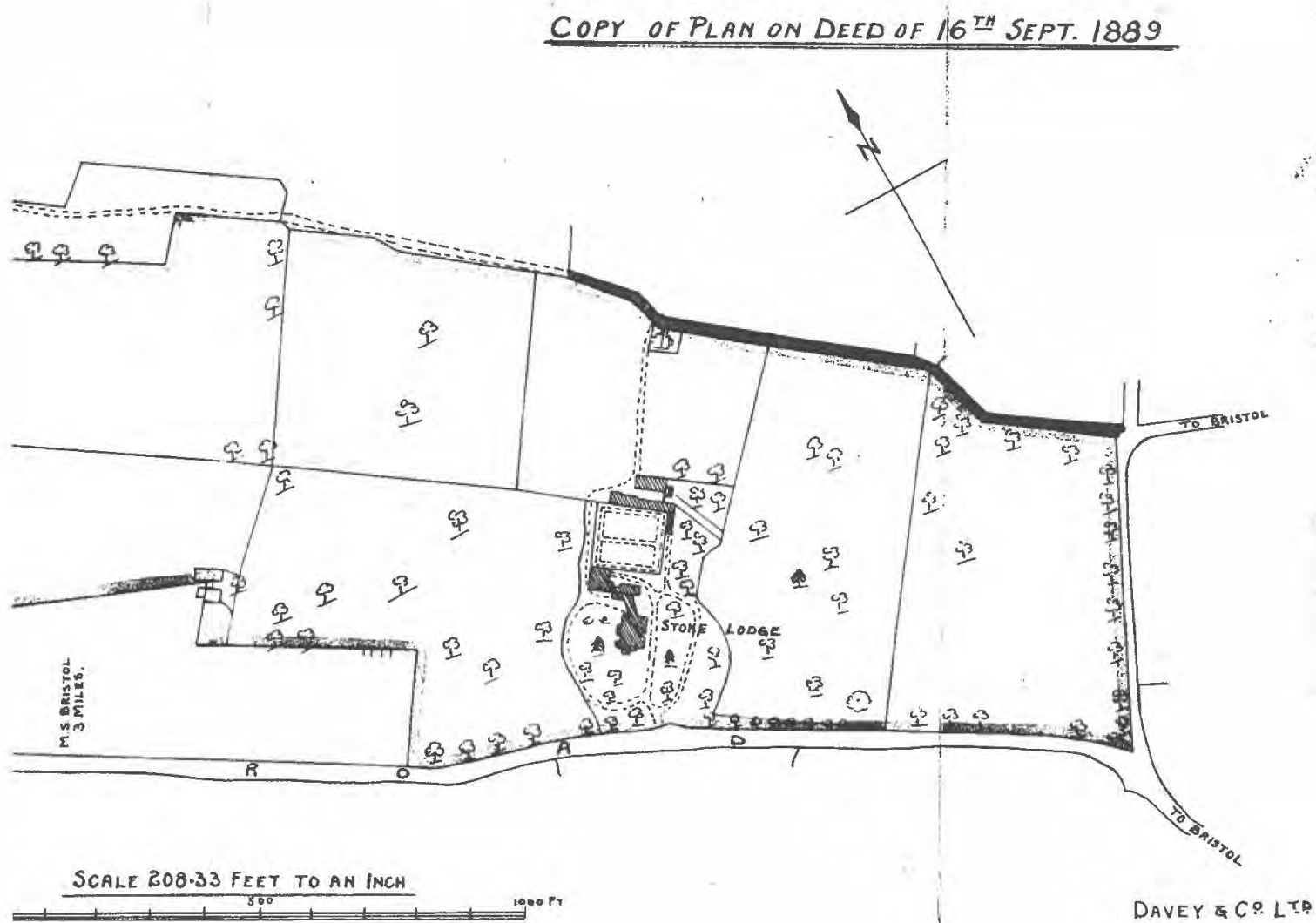
CONCLUSION

The proposed extension would avoid harm to the character and appearance of the house, street and surrounding area in addition to preserving neighbours living conditions. Consequently, the proposed extension complies with Core Strategy Policy BCS21 (Quality Urban Design), Local Plan Policies DM26 (Local Character and Distinctiveness), DM27 (Layout and Form) and DM30 (Alterations to Existing Buildings) as well as adopted Supplementary Planning Document 2 (A Guide for Designing House Alterations and Extensions).

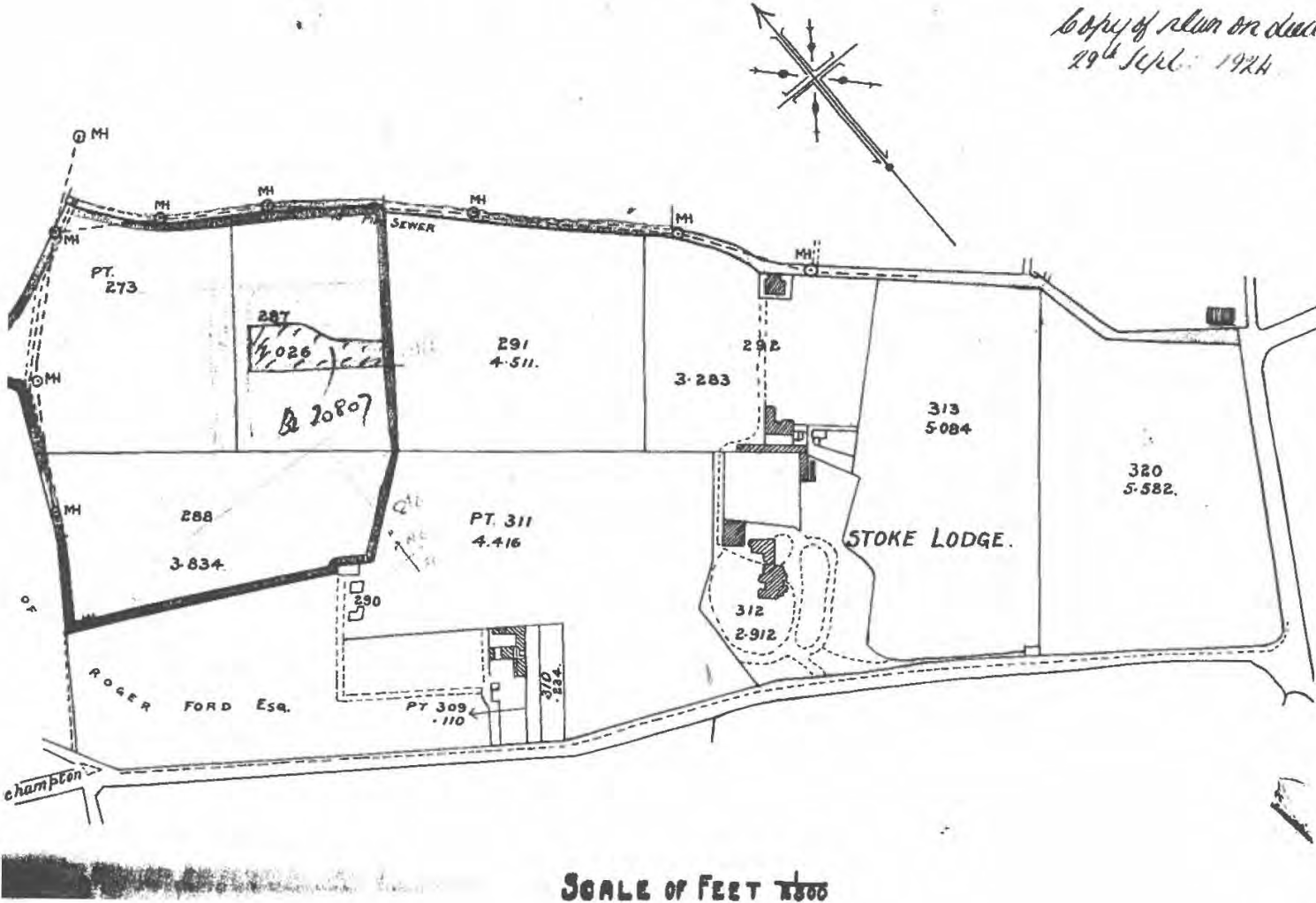
On this basis, it is recommended that permission is granted subject to standard safeguarding conditions.

17-Apr-18

Page 4 of 6



Page 10 of 13



BOLD RESIDENTS' ACTIONS SPEAK LOUDER THAN WORDS

'Guerilla tactics' to clear footpath

By Bruno Clements

FEELINGS ran so high over a blocked Bristol short-cut that a commando-style raid was mounted to clear it.

About 20 Stoke Bishop people crowded into a van on Saturday morning, using an indirect route to arrive at the controversial spot in Cheyne Road without causing suspicion.

The van was backed up to the access and the gap in the boundary hedge cleared in 30 minutes.

Police arrived only after the van, laden with wood and debris, had been driven away to a tip.

"This access to Stoke Lodge has been in use for at least 40 years until it was filled in by someone during the summer," said one woman. "It is a favourite short-cut to Stoke Lodge, the shops and the playing fields."

Punch-up

"I have used it for 35 years since I played on the fields as a girl and others say it has been in use much longer. There was a stile there."

"We tried to clear it a few weeks ago but it nearly ended in a punch-up then. We have seen a solicitor about this but it was taking so long to sort out."

"Everyone felt so strongly that something had to be done. The police were very good and it was all very civilised."

"Yesterday there were dozens of people out there walking to make sure it stays open."

A spokeswoman for Avon County Council, which owns the land, said there were worries about motorcycles being ridden onto the fields and a fence with a kissing gate is to be put in.



Victory... now the protesters must make sure the way stays open

Appendix 4b

Date 4 January 1990
 Your reference EWT/2c317/007
 Our reference CP/JRB/PLH
 Enquiries to Mr J R Blackmore
 Extension 481



County of Avon

Messrs Veale Wasbrough
 Solicitors
 17 Berkeley Square
 Bristol
 BS8 1HD

Director of Education Dr Chris Saville
 P O Box 57
 Avon House North
 St James Barton
 Bristol BS99 7EB
 Telephone Bristol (0272) 290777
 Facsimile (0272) 251174
 TTNS/BT Gold 01YLB005

Dear Sir

Access onto Stoke Lodge Playing Field

I refer to your letter dated 28 December 1989 concerning the above.

I am happy to report that the Ground Services Manager of the Property Services Department has advised me that he has placed an order to erect a fence with a gate for pedestrian access and that the work on this will be undertaken within the next four to six weeks.

I have already spoken to one of your clients, a Mr Clarke, advising him of the same when he telephoned this Section on a related matter and he will no doubt, inform his fellow residents.

I am hopeful that this matter will now be concluded to the satisfaction of all parties.

Yours faithfully

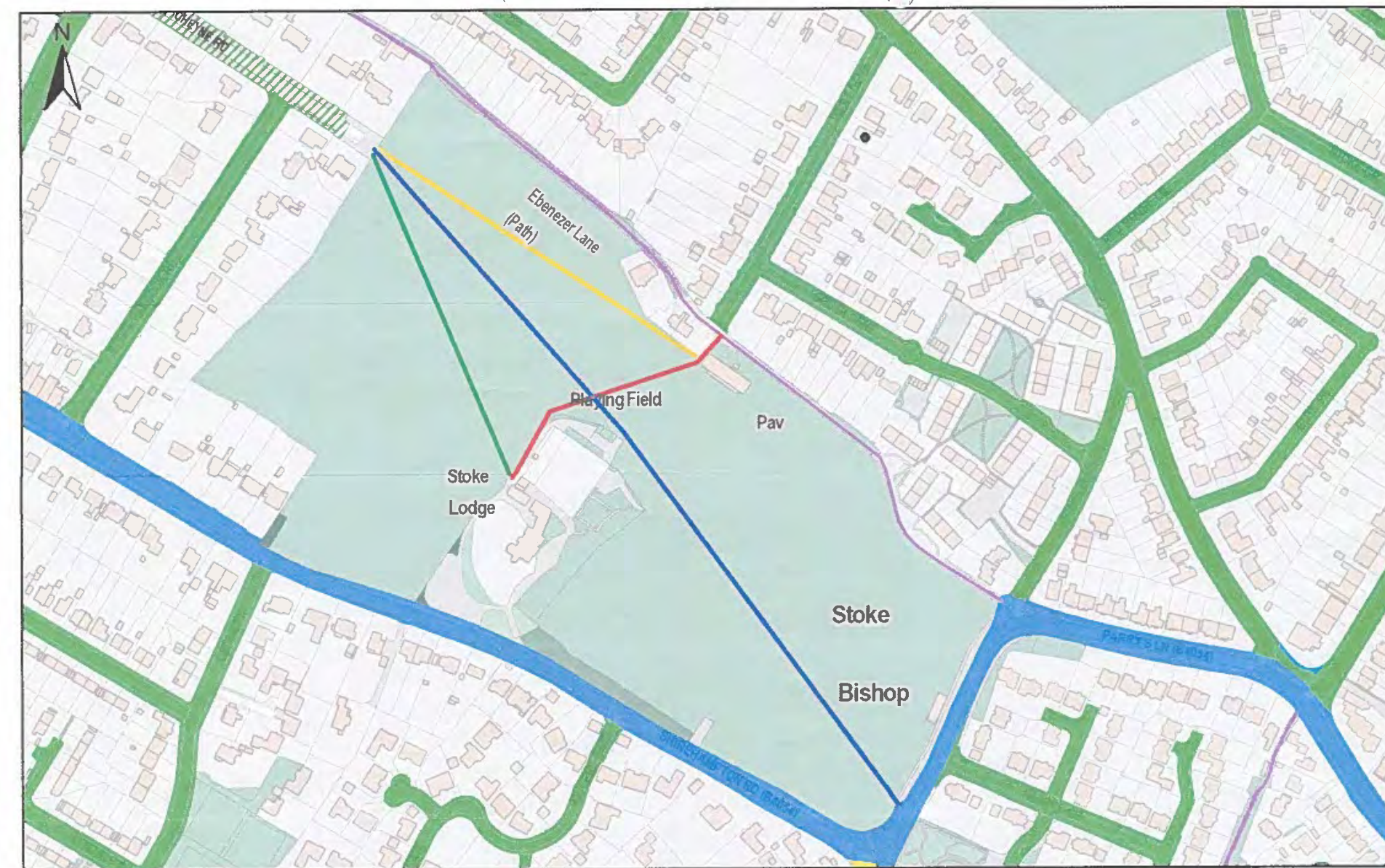
J R Blackmore

J R Blackmore
 Administrative Assistant (Sites and Accommodation)
 Capital Planning Section
 for the Director of Education



Bristol City Council map

Document created on Wednesday 6th December 2017 at 14:27



30 15 0 30 60 90 120
m

1:3,000

2012 aerial imagery © Blom Pictometry. 1946 aerial imagery © English Heritage. OS data © Crown Copyright 2015 100023406. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings. Bristol City Council.

Appendix 5

NAMES OF WITNESSES

1. [REDACTED]
 2. [REDACTED]
 3. [REDACTED]
 4. [REDACTED]
 5. [REDACTED]
 6. [REDACTED]
 7. [REDACTED]
 8. [REDACTED]
 9. [REDACTED]
 10. [REDACTED]
 11. [REDACTED]
 12. [REDACTED]
 13. [REDACTED]
 14. [REDACTED]
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43. [REDACTED]
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 62. [REDACTED]
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 64. [REDACTED]
 65. [REDACTED]
 66. [REDACTED]
 67. [REDACTED]
 68. [REDACTED]
 69. [REDACTED]
 70. [REDACTED]
 71. [REDACTED]
 72. [REDACTED]

Blue Path

Evidential Checklist – Form 8

BRISTOL CITY COUNCIL
APPLICATION FOR A MODIFICATION OF THE DEFINITIVE MAP AND
STATEMENT
Wildlife and Countryside Act 1981

NOTES FOR GUIDANCE OVERLEAF – PLEASE READ CAREFULLY

To: Service Director - Legal Services
 Bristol City Council, City Hall, Bristol BS3 9FS (Reference DM. IE0.1415)

PATH DETAILS

Locality: Stoke Lodge, Stoke Bishop, BS9.1BN

Claimed Status of Way: *Footpath/*Bridleway/*Restricted Byway *[delete as appropriate]

Description of Path: [indicate route clearly and precisely on the attached plan]

From: Cheyne Road Grid Ref: 51° 29' 15.59" N
2° 38' 17.21" W

To: Druid Hill (Top) Grid Ref: 51° 29' 2.55" N
2° 38' 0.38" W

1/We(1) Alan William Preece

Of (2) 12, South Dene, BS9.2BW

Have carried out research at the Bristol Records Office ("BRO") and/or Public Records Office ("PRO") and wish the following documents to be considered in support of my application.

Document [delete as appropriate]BRO / PRO Reference

Inclosure Award and Map

Tithe Apportionment and Map

Finance Act Map

Ordnance Survey Maps

1949 1:2500 ("know your place")

Railway/Canal Maps and Schedules

Estate Maps and Records

Quarter Session Rolls

Sale Catalogues

Highway Board Minute Books

Others [Please state]

Avon CC letter - Appendix 4b

BCC cabinet briefing 22/4/2010
minute 2.4'

Signed: _____

Dated: _____

28/04/2018

Guidance Notes : Form 8 Evidential Checklist

The applicant should complete this form where a modification order application is either wholly based on documentary evidence or is supported by documentary evidence. Documents in support of the application can include evidence from local history and photographic archives.

The completion of this form is not essential to an application and if there is no documentary evidence it need not be completed.

Documentary Evidence of the long existence of a way can be helpful in determining the quality of user evidence or supporting a claim in its own right.

It is strongly recommended that you keep a copy of all documentation and correspondence that you submit in support of your application.

Useful Addresses:

Bristol Record Office
B Bond Warehouse
Smeaton Road
Bristol BS1 6XN
Tel: 0117 922 4224
Fax: 0117 922 4236
www.bristol-city.gov.uk/recordoffice

Bristol Central Library
The Local Studies Librarian
Reference Section
Central Library
College Green
Bristol BS1 5TL

Public Record Office
Kew
Richmond
Surrey TW9 4DU
Tel: 020 8876 3444
Fax: 020 8392 5286
Minicom: 020 8392 9198
www.pro.gov.uk

yellow path.

Evidential Checklist – Form 8

BRISTOL CITY COUNCIL APPLICATION FOR A MODIFICATION OF THE DEFINITIVE MAP AND STATEMENT Wildlife and Countryside Act 1981

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To: Service Director - Legal Services
Bristol City Council, City Hall, Bristol BS3 9FS (Reference DM. IE0.1415)

PATH DETAILS

Locality: Stoke hodge, Stoke Bishop, BS9.1BN

Claimed Status of Way: *Footpath/*Bridleway/*Restricted Byway *[delete as appropriate]

Description of Path: [indicate route clearly and precisely on the attached plan]

From: West Dene Grid Ref: 51° 29' 12.24" N
2° 38' 6.15" W

To: Cheyne Road. Grid Ref: 51° 29' 15.59" N
2° 38' 17.21" W

I/We (1) Alan William PREECE

Of (2) 12 South Dene, BRISTOL BS9. 2BW.

Have carried out research at the Bristol Records Office ("BRO") and/or Public Records Office ("PRO") and wish the following documents to be considered in support of my application.

Document [delete as appropriate]

BRO / PRO Reference

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Finance Act Map

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Railway/Canal Maps and Schedules

Estate Maps and Records

Quarter Session Rolls

Sale Catalogues

Highway Board Minute Books

Others [Please state]

Avon CC letter - attached as Append. 4b.

BCC Cabinet Meeting 22/4/2010
minute 2.41

Signed:

[Redacted Signature]

Dated:

28/04/2018

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Bristol Central Library
The Local Studies Librarian
Reference Section
Central Library
College Green
Bristol BS1 5TL

Public Record Office
Kew
Richmond
Surrey TW9 4DU
Tel: 020 8876 3444
Fax: 020 8392 5286
Minicom: 020 8392 9198
www.pro.gov.uk

NOTES FOR GUIDANCE OVERLEAF – PLEASE READ CAREFULLY

PATH DETAILS

Claimed Status of Way: ~~*Footpath/*Bridleway/*Restricted Byway*~~ [delete as appropriate]

Description of Path: [indicate route clearly and precisely on the attached plan]

OF (2) 12 South Dene, BRISTOL BS9.2BW

BRO / PRO Reference

Beccabnet Briefing 22/4/2010 2.41
— [HTTPS://maps.bristol.gov.uk/brownlowplace/](https://maps.bristol.gov.uk/brownlowplace/)

28/04/2018

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Bristol BS1 5TL

Public Record Office
Kew
Richmond
Surrey TW9 4DU
Tel: 020 8876 3444
Fax: 020 8392 5286
Minicom: 020 8392 9198
www.pro.gov.uk

Green rail...

Evidential Checklist – Form 8

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PATH DETAILS

Locality: Stoke Lodge, Stoke Bishop, BS9.1BN

Claimed Status of Way: *Footpath/*Bridleway/*Restricted Byway *(delete as appropriate)

Description of Path: [indicate route clearly and precisely on the attached plan]

From: Chevyne Road

Grid Ref:

51° 29' 15.59" N
2° 38' 17.21" W

To: Stoke Lodge House path.

Grid Ref:

51° 29' 25.45" N
2° 38' 12.67" W

I/We (1) Alan William Preece

Of (2) 12, South Dene, BS9.2BW

Have carried out research at the Bristol Records Office ("BRO") and/or Public Records Office ("PRO") and wish the following documents to be considered in support of my application.

Document [delete as appropriate]

BRO / PRO Reference

Inclosure Award and Map

Tithe Apportionment and Map

Finance Act Map

Ordnance Survey Maps

Railway/Canal Maps and Schedules

Estate Maps and Records

Quarter Session Rolls

Sale Catalogues

Highway Board Minute Books

Others [Please state]

Avon CC letter - Append. 4b.
BCC Cabinet briefing 22/4/2010
2.41.

Signed:

[Redacted Signature]

Dated:

28/4/2018

Guidance Notes : Form 8 Evidential Checklist

The applicant should complete this form where a modification order application is either wholly based on documentary evidence or is supported by documentary evidence. Documents in support of the application can include evidence from local history and photographic archives.

The completion of this form is not essential to an application and if there is no documentary evidence it need not be completed.

Documentary Evidence of the long existence of a way can be helpful in determining the quality of user evidence or supporting a claim in its own right.

It is strongly recommended that you keep a copy of all documentation and correspondence that you submit in support of your application.

Useful Addresses:

Bristol Record Office
B Bond Warehouse
Smeaton Road
Bristol BS1 6XN
Tel: 0117 922 4224
Fax: 0117 922 4236
www.bristol-city.gov.uk/recordoffice

Bristol Central Library
The Local Studies Librarian
Reference Section
Central Library
College Green
Bristol BS1 5TL

Public Record Office
Kew
Richmond
Surrey TW9 4DU
Tel: 020 8876 3444
Fax: 020 8392 5286
Minicom: 020 8392 9198
www.pro.gov.uk

Notice of Application for a Modification Order - Form 5

BRISTOL CITY COUNCIL
APPLICATION FOR A MODIFICATION TO THE DEFINITIVE MAP AND
STATEMENT
Wildlife and Countryside Act 1981

IMPORTANT THIS COMMUNICATION AFFECTS YOUR PROPERTY

NOTES FOR GUIDANCE OVERLEAF - PLEASE READ CAREFULLY

Section A To (1): RICHARD FEAR, SERVICE MANAGER
 Of (2): BRISTOL CITY COUNCIL

Section B Notice is hereby given that on the (3) 1st MAY 2018
 In/We (4): ALAN PREECE
 Of (5): 12 SOUTH DENE, BRISTOL BS9 2BW

have made an application to Bristol City Council that the Definitive Map and Statement for the area be modified by:

Section C **DELETING** the ~~*footpath/ *bridleway/ *restricted byway~~: [~~delete as appropriate~~]

ADDING the ^S~~*footpath/ *bridleway/ *restricted byway~~: [~~delete as appropriate~~]

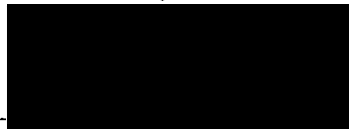
UPGRADING/DOWNGRADING the ~~*footpath/ *bridleway/ *restricted byway~~: [~~delete as appropriate~~]

VARYING/ADDING to the particulars relating to the ~~*footpath/ *bridleway/ *restricted byway~~: [~~delete as appropriate~~]

Which runs from:	1. WEST DENE	2. CHEYNE RD	3. CHEYNE RD.	4. CHEYNE RD
To:	1. STOKE LODGE HOUSE	2. DRUID HILL	3. STOKE LODGE HSE	4. WEST DENE

And is shown on the map annexed hereto

Signed:



Dated:

1 May 2018

For Guidance Notes Please See Over

Guidance Notes : Form 5 Notice of Application for a Modification Order

Notes for the Applicant

When making an application under the Wildlife and Countryside Act 1981 ("the Act") to the Council for modification of the Definitive Map and Statement of Public Rights of Way, the Act requires that the applicant complies with the obligations set out in Paragraph 2 of Schedule 14 to the Act.

These require that it is necessary that you, the applicant, send notices to anyone affected by your proposed modification. This includes notifying every owner/occupier of land affected by your proposal. You should make every effort to identify all the interested persons. If you do not know the names and addresses of all the people affected by the proposal, you may apply to the Public Rights of Way Team at Bristol City Council for permission to notify the landowners by the erection of a site notice at ends of the claimed path. To apply you should comply **Form 9** and return it to the address given on the form.

If your proposed modification affects Council owned land, then notice will need to be served on the Service Director Legal Services, PO Box 3176, City Hall, Bristol BS3 9FS

Once Notice has been served you should complete the **Certificate of Service of Notice of the Application (Form 6)** sign and date that form and return it to the address given at the top of the **Application Form (Form 4)**.

Complete the Form overleaf as follows:

- Section A: The name (1) and address (2) of the individual affected by the proposal should be entered. If you do not know the person's name you should address him/her as "the Owner/Occupier". Separate notices must be sent to all interested persons and a list of the names and address of all those on whom notice has been served should be included on the **Certificate of Service of Notice of the Application (Form 6)**.
- Section B: The date on the **Application Form (Form 4)** of your modification application should be inserted (3), together with your name (4) and your address (5).
- Section C: You should complete this in the same way as the **Application Form (Form 4)** Paragraph (3). This section describes the modification being requested.

You should sign and date the completed form and then send/post the original form to the individual named in Section A.

A photocopy of the completed form should also be sent to the Service Director Legal Services, Bristol City Council, The City Hall, College Green, PO Box 3176 Bristol BS3 9FS
(Ref DM.IEO.1415)

Certificate of Service - Form 6

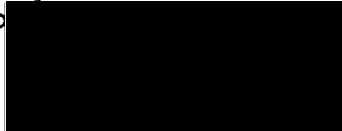
BRISTOL CITY COUNCIL APPLICATION FOR A MODIFICATION OF THE DEFINITIVE MAP AND STATEMENT Wildlife and Countryside Act 1981

To: The Service Director Legal Services
Bristol City Council, City Hall, College Green, PO Box 3176 Bristol BS3 9FS
(Reference DM.IE0.1415)

I/We (1) ALAN WILLIAM PREECE
Of (2) 12 SOUTH DENE, BRISTOL, BS9 2BW

Hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with in relation to the attached application

Signed:



Dated:

17th JUNE 2024

NOTES FOR GUIDANCE

This certificate should only be completed when notice of the application has been served on all owners and occupiers affected by the proposal by sending them a completed copy of the **Notice of Application (Form 5)**. A list of the names and addresses of all individuals notified should be provided below. Please indicate if you have been unable to identify all owners and occupiers affected by the proposal, as failure to serve an affected person could render your application invalid.

Notice of Application Sent to:

Name	Address
1. <u>Chair of Governors</u>	<u>Cotham Academy, BS6 6DT</u>
2. <u>Richard Fear</u>	<u>SERVICE MANAGER, BRISTOL city council</u>
3. _____	<u>(on 1st May 2018)</u>
4. _____	_____
5. _____	_____

(1) Insert applicants name

(2) Insert applicants address

S:\SOLSWP\vcn\PROW Misc\Definitive Map Modification Application Pack\Form 6 - Certificate of Service.doc
VCN Last Updated: 19 July 2006