

# 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 : *69 Holcombe Close, Bathampton, Bath, BA2 6UP*

*name and  
 address of  
 applicant(s)*

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 from # Holcombe Vale to # The Green, Holcombe  
 (between house nos. 46-48) (between house nos. 58-60)  
 -----

*\* delete as  
 appropriate*

\* so that it is shown as \*footpath from # ST 77712 to # ST 77750  
 66182 66117  
 -----

*\* fill in grid  
 references  
 for start  
 and end of  
 routes*

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

so that it is shown as a \*footpath  
 \*bridleway  
 \*restricted byway  
 \*byway open to all traffic

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

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

by providing that -----

*explain how  
 you want  
 the  
 particulars  
 altered*

and shown on the map accompanying this application.

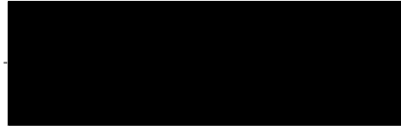
I/we attach copies of the following evidence in support of this application;

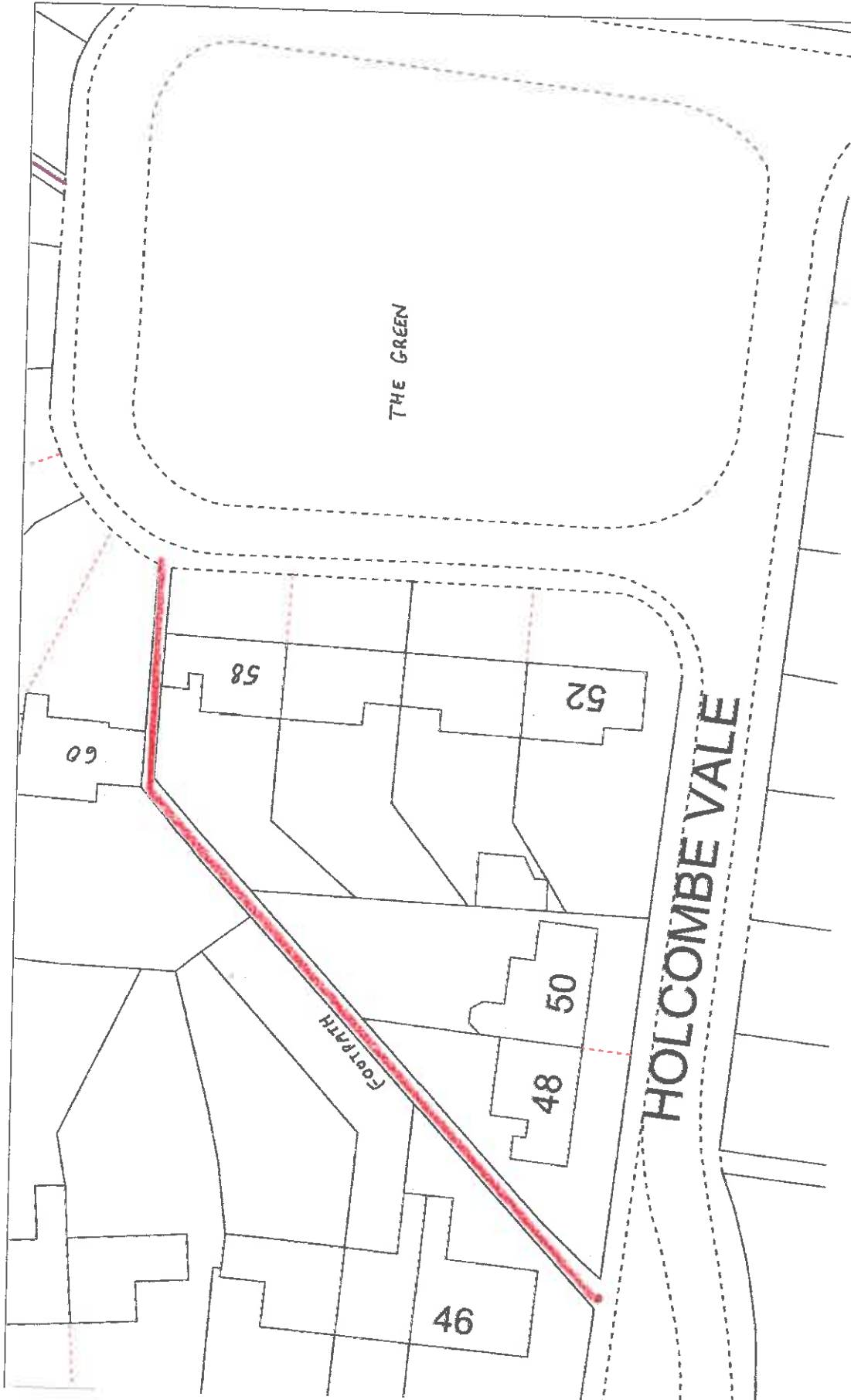
*list the  
 evidence  
 which  
 supports*














1. User evidence forms demonstrating un-impeding use of this footpath by 22 people over a 20-year period
2. A 1932 Ordnance Survey map showing that the current footpath formed part of a longer public right of way between Holcombe Lane and The Normans, pre-dating the housing development in Holcombe Vale

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-----  
Dated 21 January 2022

Signed





- Legend**
- Definitive footpath applications 
  - Parishes 
  - PROW Markers 
  - PROW Stiles 
  - 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 Mmap

EDITION OF 1982

SOMERSET SHEET 101.2

The foot highlighted in red and shown on this 1932 Ordnance Survey Map pre-dates housing development at Holcombe Vale but shows the original route from Lane to the Normans, of which the path for which the DMMD application is made forms a part.



BATHAMPTON

Bathampton

GREAT WESTERN RAILWAY

Scale 1:50,000  
1 inch = 1 mile  
1 centimetre = 400 metres  
The map is based on the 1932 Ordnance Survey map of Bathampton, Somerset, and is reproduced by permission of the Controller of Her Majesty's Stationery Office.

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 : 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 21 January 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

FORM B

# 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 : Curo  
of : The Maltings, River Pl, Lower Bristol Rd, Twerton, Bath BA2 1EP

*name and address of owner or occupier*

Notice is hereby given that on 21<sup>st</sup> day of January 2021  
the

*give the date of your application*

I/we : Mrs. L. Daly, Clerk to Bathampton Parish Council  
of : 69 Holcombe Close, Bathampton, Bath, BA2 6UP

*name and address of applicant(s)*

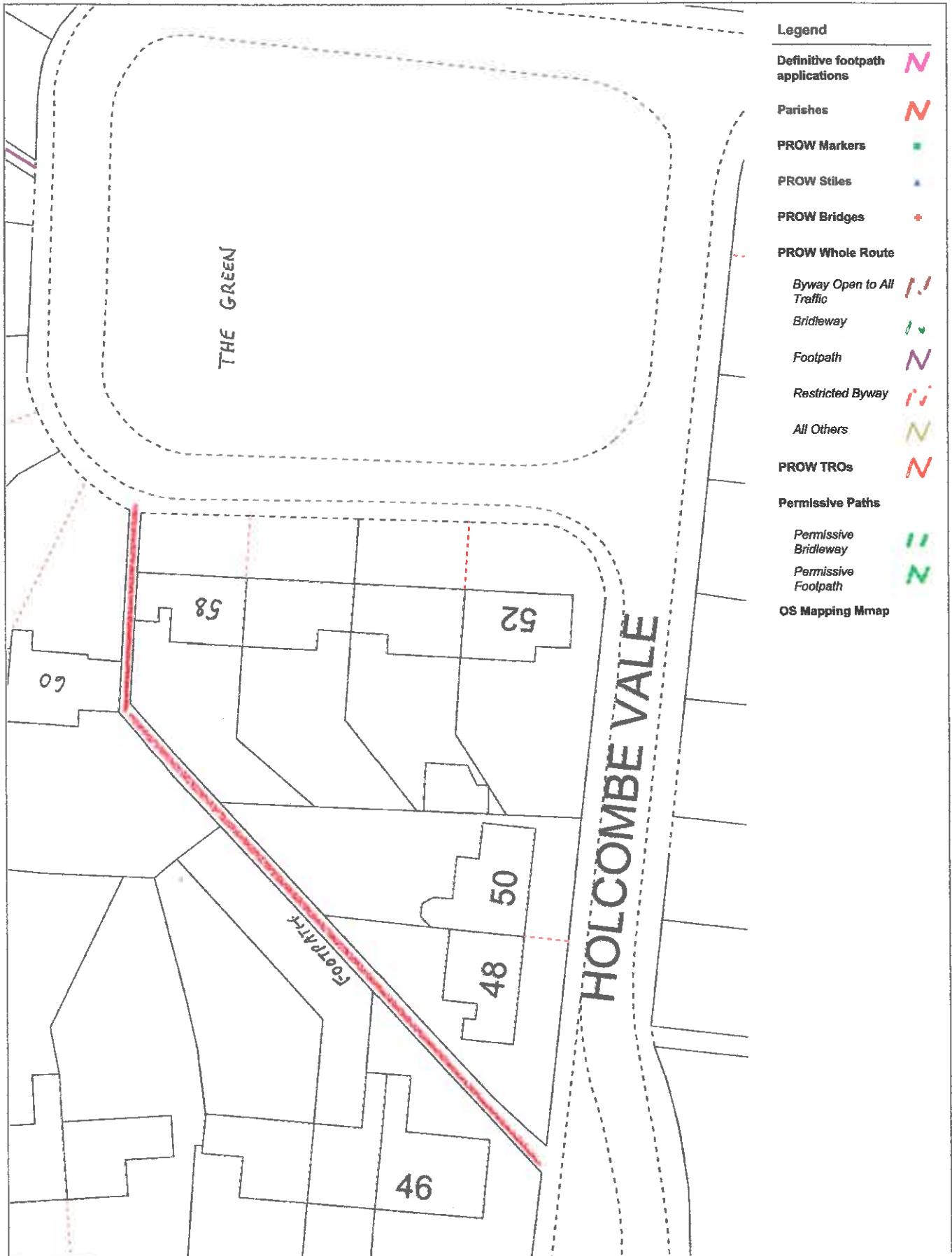
made application to the Public Rights of Way Team, Bath and North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG that the Definitive Map and Statement for the area be modified by;

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

<b>*adding the</b>	*footpath	from#	<u>Holcombe Vale</u>	to #	<u>The Green, Holcombe</u>	<i>* delete as appropriate - take detail from application</i>
*upgrading/downgrading the route currently shown as a	*footpath *bridleway *restricted byway *byway open to all traffic	from#	-----	to #	-----	<i># fill in grid references for start and end of routes</i>
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 #	-----	
by providing that	----- -----					<i>explain how you want the particulars altered</i>

and shown on the map accompanying this notice.

Dated 21 January 2022 Signed 



# 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  
69 Holcombe Close, Bathampton, Bath, BA2 6UP

Date of Application 21<sup>st</sup> January 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 runs from Holcombe Vale, starting between the gardens of numbers 46 and 48, heading in a north westerly direction, with a dog's leg turn to the north at its mid-point, before joining The Green, Holcombe Vale at between the gardens of numbers 58 and 60.

This path pre-existed construction of the Holcombe council estate in the 1950s, linking Holcombe Lane with The Normans; part of the original path was registered as BA1/3 and BA1/5. To date, this section of the original path has not been registered but is widely used.

**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.*

91 yards (about 83 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 : 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.*

The footpath received a surface of tarmac, but over the years this as degraded. At the north west end of the path, construction work at house number 60 has caused the tarmac to disintegrate



## 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
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Boundary fences and hedges on both sides of the path for its entire length, formed by home owners' property boundaries	ST 77712 66182 To ST 77750 66117				
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-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----