

FORM A

WOKINGHAM BOROUGH COUNCIL DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY



**WOKINGHAM
BOROUGH COUNCIL**

APPLICATION FOR MODIFICATION ORDER WILDLIFE AND COUNTRYSIDE ACT 1981

Details given on this form, including your name and address will be published on the Council's Register of Definitive Map Modification Order applications in accordance with The Public Rights of Way (Register of Applications under section 53(5) of the Wildlife and Countryside Act 1981) (England) Regulations 2005. All other personal data will be redacted prior to any third party disclosure

If you would like more information about how the Council uses your data, please see our Privacy Notices, which are available: <http://www.wokingham.gov.uk/privacy/>

To: Public Rights of Way Manager, Wokingham Borough Council, Shute End, Wokingham, Berkshire, RG40 1BN

I/We⁽ⁱ⁾

.....
of ⁽ⁱⁱ⁾

.....
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 / byway open to all traffic* * which runs
from:

to:

(b) **Adding** the *footpath / bridleway / byway open to all traffic* * which runs
from:

to:

(c) **Upgrading/downgrading** to a *footpath / bridleway / byway open to all traffic* * the
footpath/bridleway/byway open to all traffic which runs

from:

to:

(d) **Varying/adding** to the particulars relating to the *footpath / bridleway / byway open to all traffic* *

from:

to:

by providing that

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

I/We attach copies of the documentary evidence (including statement of witnesses)
as set out overleaf in support of this application.

Signed:

Date:

⁽ⁱ⁾ Insert name of applicant(s) ⁽ⁱⁱⁱ⁾ Delete as appropriate

⁽ⁱⁱ⁾ Insert address of applicant(s) * Delete as appropriate

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 be made to the Definitive Map and Statement of rights of way. A number of forms are involved in the procedure and it is important that you comply with the various guidelines included with this pack to avoid invalidating your application.

2. APPLICATION FORM - FORM A

2.1 This form, correctly completed, describes the modification that is being sought for the map. You should read through all the options and decide which is 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 / byway open to all traffic~~ which runs
from: Wood Oak Lane [SU 2345 6789]
to: Thrift Meadow Lane [SU 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 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 a horse, with or without a right to drive animals of any description along the highway.

Byway: (i.e. 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**. You are strongly advised to use a map of 1:2,500 scale or larger. 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), which 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 and he, 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.