



APPLICATION FOR A MODIFICATION ORDER

To amend the Cumbria County Council Definitive Map and/or Statement within the Lake District National Park under the Wildlife and Countryside Act 1981

To: Rights of Way Officer, The Lake District National Park Authority, Murley Moss, Oxenholme Road, Kendal, Cumbria, LA9 7RL

I/We JS PUGHILLAS ON BEHALF OF CUMBRIA TRF GROUP (insert your name)
Of PO Box 36, SETTLE, N. YORKSHIRE BD24 0WZ (insert your address)

hereby apply for an order under section 53(2) of the Wildlife and Countryside Act 1981 modifying the definitive map and/or statement for the area by:

(choose appropriate section and give grid references if possible * Please delete as appropriate)

(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 the footpath/bridleway/byway open to all traffic* which runs

From: THE NORTON 454 044 MAP REF ON OS MAP 90 IN KENTWICK (KNOWN AS

To: A 592 ROAD 412 026 MAP REF ON OS MAP 90 IN THOUTSICK (GARBURN PASS

to a footpath/bridleway/byway open to all traffic *

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

From:

To:

By providing that:

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

Signed JS Pughill [Applicant(s)] Date 20-9-05

Notes

For historical evidence it is essential to know the date, author, purpose and present whereabouts of the documents listed. Please give as much information as possible.

For statements by witnesses, a form is available from the National Park Authority which suggests the relevant questions to be addressed.

Documentary Evidence in support of application (including witness statements).

EXTRACT FROM INSPECTORS REPORT OF PUBLIC ENQUIRY IN
AMBLESIDE JUNE 22-25 1982 - SECTION 34.647
ACKNOWLEDGEMENT OF VERY STRONG EVIDENCE OF PUBLIC
VEHICULAR RIGHTS



Other Relevant Information

THE INSPECTORS CONCLUSION REGARDING SUITABILITY AND AMENITY
OUTWEIGHING THE VALUE OF HISTORICAL EVIDENCE APPEARS
TO LEAD TO THE DEPT OF ENVIRONMENT & TRANSPORT'S BRIDGWAY
CLASSIFICATION IN JUNE 1985 WHEN THEY DISREGARDED THE
VALUE OF UCR STATUS WHICH NOWADAYS SHOULD BE REGARDED
AS THE STRONGEST EVIDENCE OF VEHICULAR RIGHTS UNLESS
OTHERWISE CAN BE PROVEN

I/we enclose with this application:

- A map clearly showing the route(s) referred to in this application at a good scale
- Copies of documentary evidence (including statements from witnesses) to support this application, as listed above.
- A completed form to certify that I/we have served notice on all landowners and occupiers affected by this application (FORM C), or a letter explaining why I/we have been unable to ascertain the landowners/occupiers affected by this application and that identifies the steps I/we have taken to find this information (FORM D).





CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION FOR MODIFICATION ORDER



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To: The Rights of Way Officer
Lake District National Park Authority
Murley Moss
Oxenholme Road
Kendal
Cumbria
LA9 7RL

I/We JS PUGH, on behalf of CUMBRIA TRIP GROUP (insert your name)
Of PO Box 36, SETTLE, NORTH YORKSHIRE YO24 0WZ (insert your address)

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

Signed JS Pugh Date 20-9-05

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. 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.

Notice of Application Sent To:

Name	Address
1. THE NATIONAL TRUST	THE HOLLENS, GRASMERE LA22 9QZ ✓
2. LAKE DISTRICT LEISURE PURSUITS LTD	ROTRICK RD, BONNESS LA23 3DL <i>Site own end of the track</i>
3. MR/MRS CUMMINGS	THE HOLLENS KENSHERE LA8 9JL ✓
4. MR/MRS BARKWAY	GREENHED PARK KENSHERE LA8 9JL
5. MR TJ BRYARS	11 DALTON LANE BURTAN IN KENDAL, LA6 1NG
6. MR JE SHARP	LINDEN HALL, BORWICK, CARNFORTH LA6 1JR
JE & IM SHARP	23 LLOYD SQUARE LONDON WC1X 9AJ <i>Tenant = Mick East (Anthony Farm)</i>



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 Cumbria
 LA9 7RL



I/We J.S. Pighills, on behalf of Cumbria TRF Group
 Of PO Box 36, Settle, North Yorkshire, BD20 0WZ

(insert your name)
 (insert your address)

I hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife & Countryside Act 1981 have been complied with in relation to the application supplied on 20 September 2005 for the upgrading of the bridleway which runs from: the A592 near Troutbeck Bridge, OS Map97 ref 412 026: to The Nook, Kentmere, OS Map 97 ref 445 054 to a byway open to all traffic.

Signed on behalf of Cumbria Group TRF [Applicant(s)]

Date 11 November 2005

This certificate should only be completed when notice of the application has been served on all owners and occupiers affected by the proposal. A list of 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

Notice of Application Sent To

Name

Address



- 1) The Company Secretary, Croppers Plc of Burneside, Nr. Kendal, LA9 6PZ
- 2) Head of Legal Services of Cumbria County Council, The Courts, Carlisle



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I/We J.S. Pighills, on behalf of Cumbria TRF Group (insert your name)

Of PO Box 36, Settle, North Yorkshire, BD20 0WZ (insert your address)

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

Signed J.S. Pighills, on behalf of Cumbria TRF Group [Applicant(s)] Date 4th November 2005

~~This certificate should only be completed when notice of the application has been served on all owners and occupiers affected by the proposal. A list of 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~~

Notice of Application Sent To

Name Address

1. James Edward Sharp & I. Mary Sharp, of 23 Lloyd Square, London WC1X

Regarding

Upgrading the *bridleway* which runs
From... The Nook, grid ref 454054 on OS Map 97 in Kentmere
To..... A592 Road at grid ref 412026 on OS Map 97 in Troutbeck, known as Garburn Road
to a *byway open to all traffic*



