



Ms Carole Barr
Cumbria Bridleways Society
Crook Barn
Torver
Nr. Coniston
LA21 8BP

625

3/18 July 2010

The Rights of Way Officer
Lake District National park Authority
Murley Moss
Oxenholme Road
Kendal
LA9 7RL



Dear Sir

Wildlife and Countryside Act 1981 Application for Modification of Definitive Map and Statement

Upgrading FP 579005 to Bridleway from SD414799 to SD416800

This short stretch of the footpath FP 579005 links with bridleway BW 526037 which ends at the parish boundary. The bridleway is currently wrongly signed as a footpath and is also incorrectly shown as a footpath on the County Council website. I have found relatively few people who knew that part of the route was a bridleway and therefore the number of people providing user evidence is only six.

In view of this, historical documents have also been assembled as evidence of usage in the past. This will not be allowed after 2026 so this application has been made now despite the fact that there are currently no overt problems with using this route.

There are several disadvantages to this route remaining as a hidden, unofficial bridleway:

1. The main disadvantage is that there are no bridleway signs to inform local horse-riders of their existence.
2. People planning horse-riding holidays in the area consult maps before they come to see where they can ride. It would obviously be useful if these tracks were marked as bridleways.
3. The longer these routes are officially only footpaths the greater the risk of them becoming unusable by riders.

While researching the documents relating to footpath 579005 it became clear that this route was part of an old road to Lindale. At the time of Cartmel Inclosure Award it was known as Clodwell Closes Road. It has proved impossible to pin down the whole route but I hope that you may be able to assist with this.

At this stage, however, the modification requested is as shown in the application.

Yours faithfully

Carole Barr



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, CAROLE BARR, CUMBRIA BRIDLEWAYS SOCIETY (insert your name)

Of CROOK BARN STABLES, TORQUET, CONISTON, LA21 8BP (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: SD 414 799 LOW BLAWITH COTTAGE

To: SD 416 800 JUNCTION WITH BW 526037

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 [Signature]

[Applicant(s)]

Date 31 July 10

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).

1. See form G for list of historical documents.
2. See enclosed DVD for copies of the documentary evidence.
3. Also enclosed are witness statements.

Other Relevant Information.....

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).



PUBLIC RIGHTS OF WAY DOCUMENTARY EVIDENCE CHECKLIST

Wildlife and Countryside Act 1981

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

PATH DETAILS:-

PARISH: UPPER ALLITHWAITE DISTRICT: SOUTH LAKELAND

BELIEVED STATUS OF PATH: ~~footpath~~ / ~~bridleway~~ / ~~byway open to all traffic~~

FP 579005

[delete as appropriate]

DESCRIPTION OF PATH [please indicate route on a map - 1:2500 scale if possible] **ON DVD OF EVIDENCE**

FROM: LOW BLAWITH COTTAGE SD 414799

TO: JUNCTION WITH BW 526037 SD 416037

I/We CAROLE BARR, CUMBRIA BRIDLEWAYS SOCIETY

of CROOK BARN STABLES, TORVER, CONISTON LAZI 8BP

have carried out research at the County Records Office, The County Council Rights of Way Department and/or Public Records Office and wish the following documents to be considered in support of my application [see notes on reverse of FORM A]:

Document	CRO/PRO Reference
Inclosure Award and Map*	KENDAL RECORD OFFICE PR/2718/15
Title Apportionment and Map*	" " " WPR/89/23
Finance Act Maps* OS 1913	LANCASHIRE RECORDS OFFICE M.7E/4/2
Ordnance Survey Maps* 1/2" 1904, 1936 1" + 1:50000 1864, 1947, 1965, 1976, 1982, 1988	
Railway/Canal Survey Maps and Schedules*	2 1/2" 1960/1, 2002 6" 1848, 1888, 1920
Estate Maps and Records*	25" 1889
Parish Council and Highway Board Minute Books*	BARTHOLOMEW'S MAPS, GALLIE ENGLIS MAP
Definitive Map Records*	✓
Others [please state].	KENDAL R.O. PR 2714
MINUTE BOOK OF COMMISSIONERS - CARTMEL 1796 to 1803	
OLD MAPS: MEATS 1786, GREENWOOD 1818, PATERSON 1826, HENNET 1829,	
JOHNSON'S SURVEY KENDAL RECORD OFFICE PR 2716 18	
RAWLINSON'S ESTATES 1860	BD. 41J 26
PLAN OF UPPER ALLITHWAITE	PR 2716 2
PLAN FOR NEW LINDALE ROAD	WPR 49/1/4/6
LAND REGISTRY DOCUMENTS	

Sign Carole Barr

Date 31 July 2010

Documents Submitted

1. Cumbria County Council Website showing Rights of Way
<http://195.171.180.22/PROW/>
2. OS 1:100000 map (as above but without addition of Rights of Way:
3. 1976 Definitive Map – Parts of SD47NW and SD48SW
4. Definitive statements
5. Old Maps
6. Inclosure Award Plan - Kendal Record Office PR/2718/15
7. Cartmel Inclosure Award - transcript of copy in Kendal Record Office WPR/89/Z3
8. Cartmel Inclosure Award Map Lancashire Record Office MAE/4/2
9. Current status of Cartmel Inclosure Awarded roads in Broughton Parish
10. Current Status of Inclosure Awarded Routes
11. Minute Book of the Commissioners – Cartmel 1796 – 1803
Kendal Record Office PR 2714
12. Johnson's Survey Kendal Record Office PR 2716 18
13. Bartholomew's Maps Half inch to one mile - 1919 and 1947
14. Gall & Inglis Edinburgh Half inch to one mile - undated
15. Ordnance Survey ½ inch Map – 1904 and 1936
16. Ordnance Survey 1 inch – 1864, 1947 & 1965 and 1:50000 – 1976, 1982 & 1988
17. Ordnance Survey 1:25000 – 1960/61 and 2002
18. Ordnance Survey 6 inch – 1851, 1893, 1920
19. Ordnance Survey 25 inch – 1889
20. Finance Act (1910) Map
21. Other Documents - Plan of Upper Allithwaite undated
Kendal Record Office PR2716 2
22. Other Documents Sale Particulars for Castlehead 1828
Barrow-in-Furness Record Office BD TB SP 1 16
23. Other Documents - Plan for New Lindale Road 1860
Kendal Record Office WPR 99//4/6 1860 – 8
24. Other Documents - Part of Rawlinson's Estates 1860
Barrow-in-Furness Record Office BD HJ 26
25. Other Documents - Sale Documents for Castlehead 1907
Barrow- in-Furness Record Office BD HJ 100 17
26. Photographs of FP 579005
27. Land Registry Documents



CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION FOR 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: The Rights of Way Officer
Lake District National Park Authority
Murley Moss
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LA9 7RL

I/We, CAROLE BARR, CUMBRIA BRIDLEWAYS SOCIETY (insert your name)
Of CROOK BARN STABLES, TORVER, CONISTON LA21 8BP (insert your address)

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.....
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 [Signature] Date 31 July 2010

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
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