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

We, J S Pickells, on behalf of Cumbria TRG Group (insert your name) (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:

(a) Deleting the footpath/bridleway/byway open to all traffic which has

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: WILDFORTH 50420 MAP REF ON OS MAP 90 SW OF HECKEN
To: ROCKETT 478237 MAP REF ON OS MAP 90 SE OF ROCKET BRIE

Upgrading/Downgrading 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 .................................................................

[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).

Inspector's Decision Letter from the Public Enquiry Which took place in Penrith in 1981

The above letter makes it clear that the Inspector accepted there was substantial evidence of public bridleway right of way.

Other Relevant Information

The Inspector’s decision to classify the route as bridleway was based on his view that it was not necessary — a consideration which is not now relevant under the 1981 Wildlife and Countryside Act.

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 l/we have served notice on all landowners and occupiers affected by this application (FORM C), or a letter explaining why l/we have been unable to ascertain the landowners/occupiers affected by this application and that identifies the steps l/we have taken to find this information (FORM D).
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
    Oxenholme Road
    Kendal
    Cumbria
    LA9 7RL

I/We: J S Pickles ON BEHALF OF DUMGAR TRUST

Of: PO BOX 36
    SETTLE
    NORTH YORKSHIRE
    BD24 6WZ

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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: J S Pickles

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:

1. DALEMAY ESTATES
   ESTATE OFFICE, PENRITH, CA11 0NB

2. 

3. 

4. 

5. 

6. 

7. 

8. 


NOTICE OF APPLICATION FOR A MODIFICATION TO THE DEFINITIVE MAP AND STATEMENT

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 SECRETARY OR CLERK
Of: LAKE DISTRICT NATIONAL PARK AUTHORITY

MURRAY MOSS, KENDAL, LA4 7RL

Notice is hereby given that on the ____________ (insert date)

We, ________________ on behalf of ________________

Of: PO BOX 36, SETTLE, N. YORKSHIRE, BD 4 0WZ

have made an application under section 53(2) of the Wildlife and Countryside Act 1981 to modify 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: 289271 MAP REF OS MAP 96 SW OF CONISTON
To: 240958 MAP REF OS MAP 96 NE OF SEATHWAITE

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

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