

1. Application form for a Modification to the Definitive Map and Statement

What steps have you taken in respect of the route being claimed, up until now, prior to completing this form? Please provide details below.

SENT LETTER TO LANDOWNER MR FARLEY ON 11-10-12 INFORMING HM OF OUR INTENTION TO MAKE THE APPLICATION. SENT NOTICE OF APPLICATION FOR MODIFICATION ORDER TO MR FARLEY ON 02-04-2013

I/We (Name) Peter and Daphne Wilbers

of (Address) LYNBROOK ROSEBANK ROAD, MILVERTON

TAUNTON Postcode TA4 1PW

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:-

() (ase select one or more categories as appropriate)

☐ (a) **Deleting** the footpath / bridleway / restricted byway / byway open to all traffic which runs from:

to:

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

ST 12538 25887 ENTRANCE TO FIELD NEAR DOLTONS, MILVERTON, ALONG EDGE OF FIELD NEXT TO SANMILLS > ALONG RIVER BANK

to:

ST 13381 25861 EXIT FIELD BY SEWAGE WORKS, ALONG TRACK TO JOIN UP WITH OTHER PATH BY BRIDGE

☐ (c) **Amending** to a footpath / bridleway / restricted byway / byway open to all traffic the footpath / bridleway / restricted byway / byway open to all traffic which runs from:

to:

☐ (d) **Varying / adding to** the particulars relating to the footpath / bridleway / restricted byway / byway open to all traffic which runs from

to:

3. Documentary Evidence

Please attach copies of those records consulted, labelling clearly on the reverse side what the document is and the appropriate reference. Please also list and sign the section below.

4/ We* attach copies of the following documentary evidence (including statements of witnesses) in support of this application:

List of Documents

Evidence forms & Maps x 9 ^{FDL}
Signed Petition ^{FDL}
Photographs x 9 ^{FDL}
Letters x 8 (x1 To Parish Council)
as (x1 From P.C.)
(x1 From CHRIS PINE)
(x1 From RAY SMART)
(x1 BY MRS DAVIS)
(x1 BY BARNES)
(x1 BY EMILY)
(x1 BY P. WITHERS)
Form by Saline Withers x 1

Dated..

Signed..

*delete as applicable

4. Photographs of the Application Route

Please take photographs of all parts of the application route including the start and end of the alleged route and include these when submitting your application. Please also write on the back of the photo details of where it was taken.

5. Consultations

You should consult your local Parish Council regarding the proposed route. You should write to them with a copy of a map showing the alleged route clearly, along with a description of what is being proposed and asking for any comments or factual information they may be able to provide, allowing 28 days for a reply. Please attach any response you receive to this application. You may also wish to consult your local County Councillor and District Council in addition.

The applicant's responsibility does not stop with the submission of the application form. The applicant will be the promoter of the application and will be required to support it through its various stages (please see the pre application advice). If the process seems too burdensome, the Parish Council or certain user groups may be interested in assisting. The applicant may be requested to carry out further investigation into the evidence, to answer queries, to serve required notices and in the event of objections to the proposal be called as a witness at a public local inquiry. However, should the County Council decide to make an order, the necessary work to publish and defend it at public inquiry will be undertaken by the Council.

It is important for the applicant to be aware that in investigating Definitive Map modification claims, the County Council, as Surveying Authority, is under a duty to record the true status of the way concerned. The evidence may reveal that the claimed way is a: -

- Public Footpath – which may be used by members of the public on foot
- Public Bridleway – which may be used by walkers, horse riders and cyclists
- Restricted Byway (formally called a Road Used as a Public Path) – which may be used by all the above and horse drawn carts or carriages
- Byway Open to All Traffic (BOAT) – which may be used by all the above and mechanically propelled vehicles

Similarly, following research, the investigating officer may conclude that the way is shown correctly on the records or has no public rights at all.

Should you wish to apply for a BOAT please contact this department on the number and address at the back of this form for the latest information and legislation.

Please attach a list showing who you have consulted and copies of any replies to your enquiries to this application form.

6. Signature of the Applicant(s)

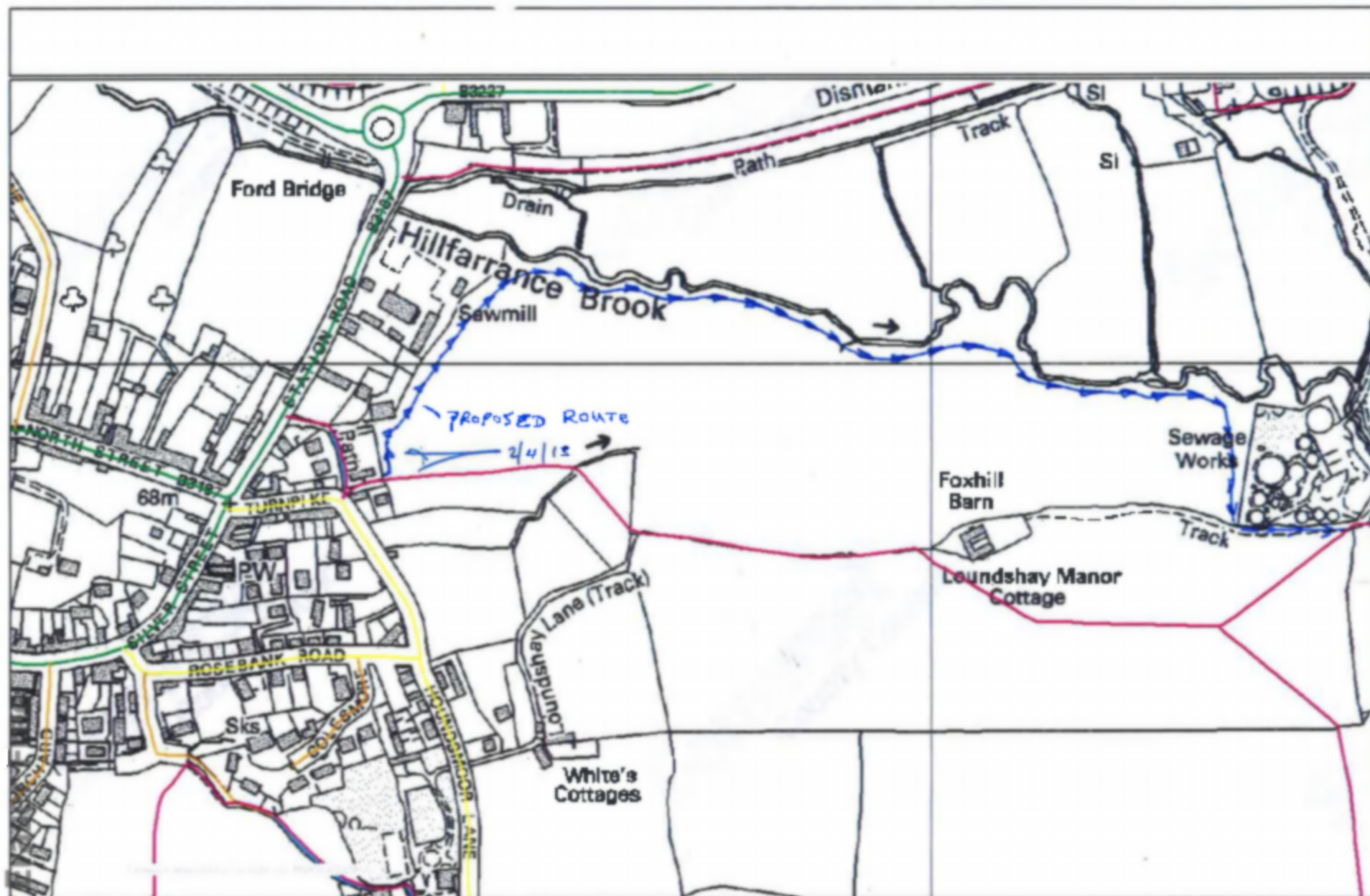
Please sign and date the form below.

Signature of applicant(s)

SIGNED...

DATED: 2.4.2013

A signed map with the claimed route marked clearly must be attached to this form.



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Ordnance Survey 100036382

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D. W. Piers 2.4.13

Date 29/10/2012

Scale 1/4214

Centre = 312805 E 125694 N

