

APPLICATION FOR A MODIFICATION TO THE DEFINITIVE MAP AND STATEMENT
Wildlife and Countryside Act 1981

To: Surrey County Council
Countryside Access
Whitebeam Lodge
Merrow Depot, Merrow Lane,
Merrow Lane
Guildford
GU47BQ

I/We (i) Sandra Smith

of (ii) [REDACTED]

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/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:
to:

(c) ~~Upgrading/downgrading to a footpath/bridleway/restricted byway/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 /restricted byway/byway
open to all traffic*~~

from: Truxford , Thursley, OS Grid Ref. **488610,141386**
to: the Lions Mouth on Hankley Common Grid Ref. **488761,141400**

by providing that the width of Bridleway 101 in Elstead and Thursley is the full 30ft width of *Public Driftway or Heath Road 32*, set out on the route of the already existing Public Carriage Road from Farnham to Thursley, as defined in the Elstead Inclosure Awards of 1857

as shown on the maps annexed hereto:

Copies of the OS Second Edition 1897 1:2500 map Surrey Sheets XXXVII.8. and XXXV11.4 updated to 1912 for Inland Revenue purposes. The application route (a White Road) is highlighted in yellow.

I ~~Am~~ attach copies of the following documentary evidence [~~including statements of witnesses~~] in support of this application:-

- (1) Extract from 1857 Elstead Inclosure Awards (Page 4) describing the allotment of land for *Public Driftway or Heath Road* of the width of *Thirty feet numbered 32 on the said Map commencing at Truxford at a point marked O on the said Map and extending thence in a Westwardly direction to and terminating at the Lions Mouth at a point marked P on the said map* (highlighted in turquoise in margins). (It is believed that the definition of the driftway terminates at this point because the Lions Mouth is (a) the point at which the land to be enclosed gives way to open common land and (b) the Lions Mouth is on the boundary of the Manors of Farnham and Bealeshold. The land being inclosed was of the Manor of Farnham only).
- (2a (for completeness only,) 2b,2c) Extract from 1857 Elstead Inclosure Awards (Pages 1 and 2) describing the redefinition of the manorial boundaries, together with transcript (2d). The *Public Carriage Road* from Farnham to Thursley is referred to in the definition of the boundary at the Lions Mouth. This section does not provide evidence per se of the width of the route but helps to explain why this route was chosen for the driftway (i.e. the Public Carriage Road already existed on the route).
- (3) Extract from the 1857 Elstead Inclosure Awards Map showing the route of *Public Driftway or Heath Road 32*. The driftway number (32) is printed in the centre of the track between plots 30 and 34. Point O can be seen immediately before the name 'Thursley' at the bottom right of the map. Point P can be seen just above the name 'Lion's Mouth' at the middle left of the map.
 - (The Elstead Inclosure Map and Awards are stored at the Surrey History Centre under reference QS6/4/58).
- (4) An extract from the Surrey Tithe Records map for Elstead, showing the route of the Public Carriage Road from Farnham to Thursley prior to the 1857 Inclosures (1839).
- (5) Plan of the Surrey Commons Military Lands Area (the map attached to the 1978 Surrey Commons Military Lands Byelaws) showing that BW101 is excluded from that land on Hankley Common and Houndown which is controlled by the Secretary of State for Defence. BW101 is highlighted in turquoise.
- (6) Extract from the plan attached to the 2012 MoD declaration of Rights of Way, showing that MoD controlled land excludes BW101 (as far as the Lions Mouth).
- (7) Extract from Surrey County Council interactive map for BW101 between Truxford and the Lions Mouth, to assist in locating the application route.
- (8) Extract from Surrey County Council interactive map showing the end of the Commissioner's definition of Driftway 32. The Lion's Mouth is the valley (74m) between the hills (88m) either side of BW101 and is at the junction of BW101, 101a, and 108.

- (9) Extract from the 1857 Elstead Inclosure Awards Map showing the route of *Public Driftway or Heath Road 32* including the junction with BW101a.

Signed:



Date:

13th August '13