
APPLICATION FORM

FOR A MODIFICATION TO THE DEFINITIVE MAP AND STATEMENT WILDLIFE AND COUNTRYSIDE ACT 1981

To: The Outdoor Recreation Manager, Outdoor Recreation, Shropshire Council, Shirehall,
Abbey Foregate, Shrewsbury. SY2 6ND

I, **Will Steel**, for and on behalf of the **British Horse Society**, of Abbey Park, Stareton, Kenilworth,
Warwickshire. CV8 2XZ.

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:-

Adding the *bridleway* which runs from Point A (OSGR SJ7031 2685) to Point B (OSGR
SJ7059 2692) and shown on the map accompanying this application.

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

- **Natural England Discovering Lost Ways Case File SH/087/004/BHS which contains copies of the following documents or extracts thereof:**
- Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1" : 1 mile, entitled "Folder 1 1833-35", dated 1833-35
- Tithe Map, TNA IR 30/29/159, entitled "A MAP of the parish of HINSTOCK in the County of SALOP", dated 1837
- Tithe Apportionment, TNA IR 29/29/159, entitled "Apportionment of the Rent Charge in lieu of Tithes in the Parish of Hinstock in the County of Salop", dated 1837
- Ordnance Survey 25" 1st Edition, BL Vol 690 (7), entitled "Shropshire (Northern Division) Sheet XXIII.7 - Hinstock, Chetwynd & Cheswardine Parish & Cheswardine Parish (Det No.1) Parish", dated 1880
- Ordnance Survey 25" 2nd Edition, BL 1601(39), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXIII.7", dated 1900
- Ordnance Survey 1" New Series, BL Maps 1175 (134.) Sheet 139, entitled "OS of England Stafford", dated 1902
- Finance Act Survey Map, TNA IR 132/4/245, entitled "SHROPSHIRE SHEET XXXIII.7 - SECOND EDITION 1902", dated 1909

I/We understand that the information I/we have provided may be imparted to third parties.

Signed:



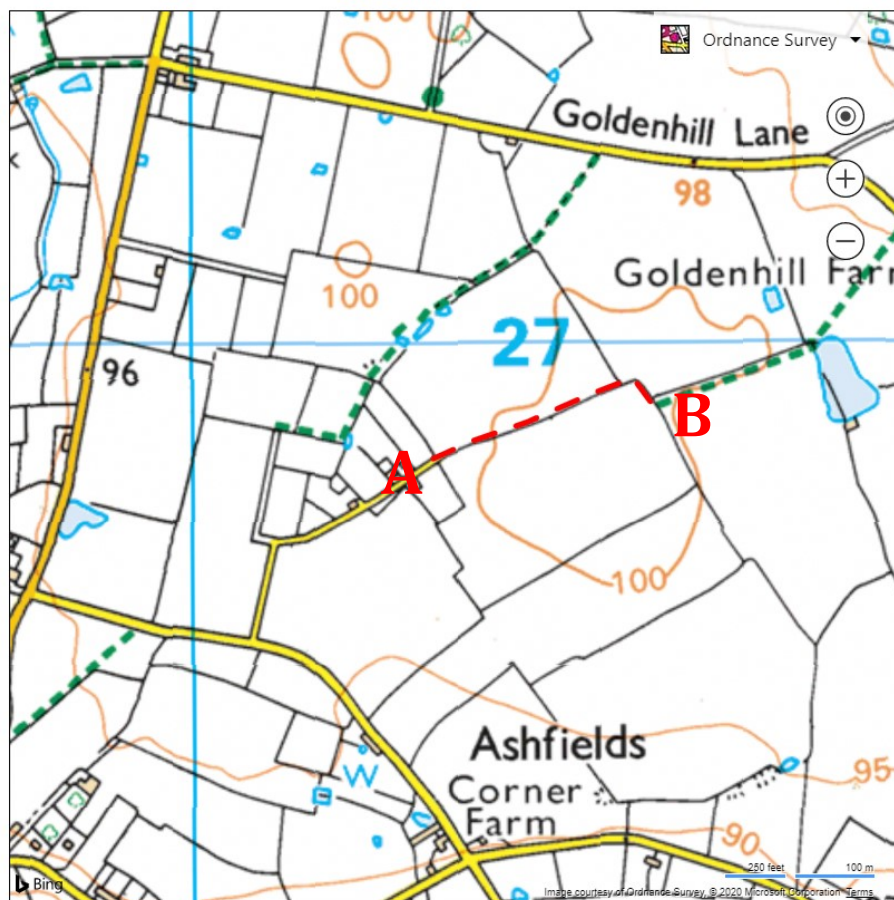
Date: 27/08/2020

Wildlife and Countryside Act 1981

Map to Accompany Definitive Map Modification Order Application

For a route at Golden Hill Farm in the Parish of Hinstock, Shropshire to be shown as
a Public Bridleway

Applicant's Reference: DLW SH/087/004/BSH



27/08/2020

Map produced from extract of Ordnance Survey 1:25,000 scale mapping. When printed on A4 paper, the scale will be not less than 1:25,000 and thus meets the requirement of regulation 2 and regulation 8(2) of The Wildlife and Countryside (Definitive Maps and Statements)



Client:

**Natural England
Discovering Lost Ways Project**

Case File Ref. No.	SH/087/004
Name	Un-named
Historic County	Shropshire
Sub-Unit	Shropshire Sub-unit 1
Parish(es)	Hinstock
Surveying Authority	Shropshire County Council
Definitive Map Ref. No.	None
Other Designation(s) Ref. No.	None
Route Length	319 metres
OS 1:10,000 Sheet(s)	SJ72NW
Grid Ref (start)	SJ7031 2685
Grid Ref (end)	SJ7059 2692
ARU ASSESSMENT OUTCOME	
Status/Class	Public carriageway
Strength	Strong
Comment	Shown uncoloured and excluded from the hereditaments on the Finance Act Survey map, and described as a 3rd Classed Metalled Road on the OS 1" New Series Map

Date:

02 May 2008

LandAspects
Rowan House
Lloyd Drive
Ellesmere Port
Cheshire CH65 9HQ

Table of Contents

1. Summary of Findings	5
2. Description of Route	6
3. Location Plan	7
4. Current Definitive Paths	8
5. Case File Route Map	9
6. Details of Documentary Evidence	10
7. Interpretation of Evidence from Individual Records	20
8. Overall Evaluation of Evidence	24
Appendix A - Methodological Statement	27
Appendix B - Acknowledgements	28

1. Summary of Findings

Case file SH/087/004 was included in the research scope by the Discovering Lost Ways Project during the course of research due to the discovery of evidence suggesting the existence of a public right of way.

From the documents examined it is possible to establish that the case file route is shown on the Finance Act Survey map uncoloured and excluded from hereditaments. This suggests that part of the route was considered to be a public highway at the time of the Finance Act Survey, but does not in itself provide evidence about the class of rights that existed over it.

The Ordnance Survey 1" New Series Map, demonstrates evidence for the route. The route is shown on the map and is described in the key as '3rd class metalled roads'. For the purpose of the Discovering Lost Ways Project research it has been agreed that the showing of routes as 1st, 2nd or 3rd class metalled roads on OS 1" New Series maps will be taken as evidence of the existence of public vehicular rights. It is felt therefore that a public vehicular right of way existed over the route at the time of the survey.

The evidence found meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981 that a public right of way subsists or is reasonably alleged to subsist and has therefore been categorised as "Strong", supporting the making of a definitive map modification order application to add the route to the Definitive Map

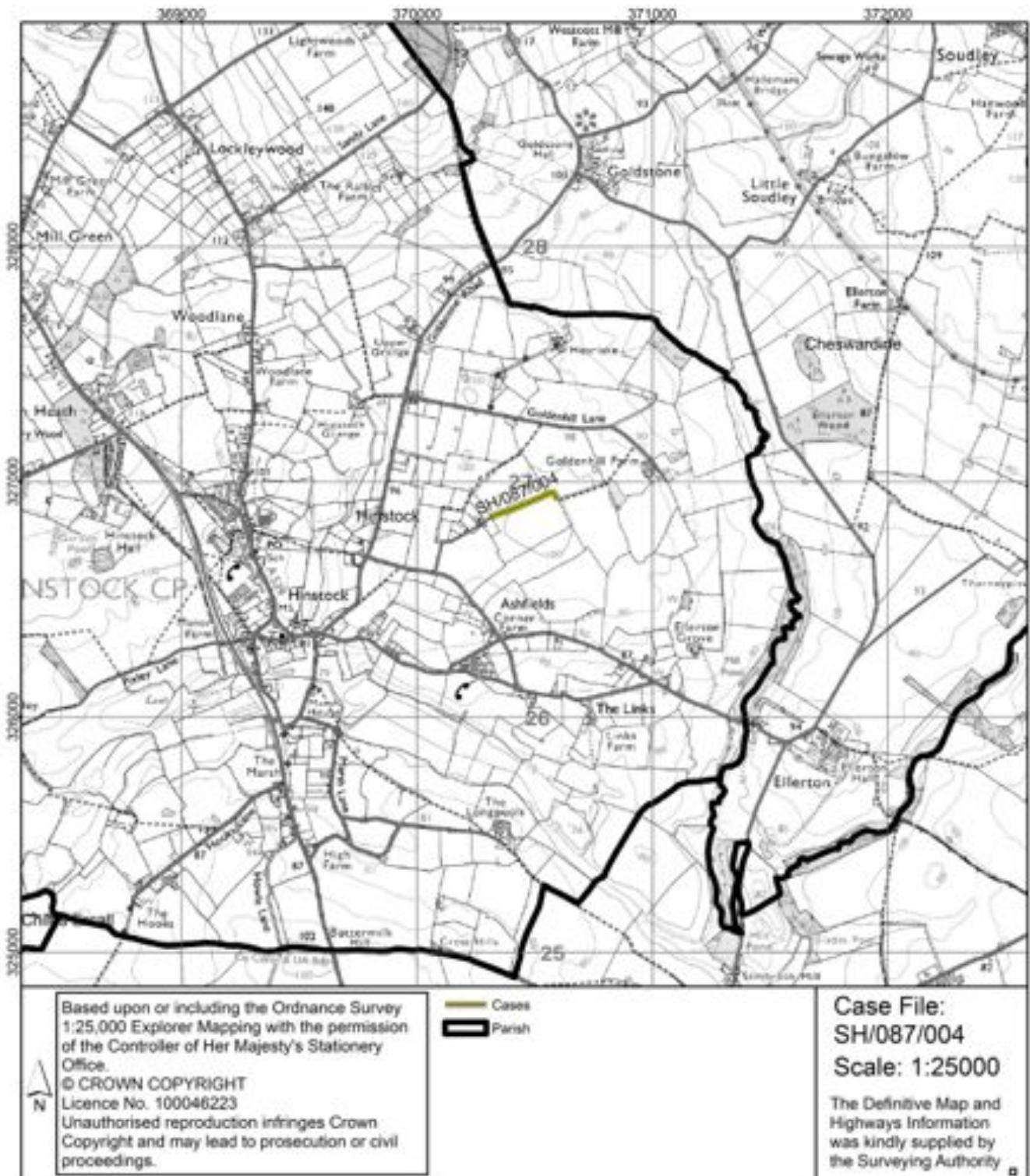
2. Description of Route

The route begins at a junction with U3138/10 at coordinate SJ7031 2685 (point A on the Case File Route Map). The route then heads in an easterly direction, to where it terminates at a junction with Footpath 10 Hinstock at coordinate SJ7059 2692 (point B on the Case File Route Map).

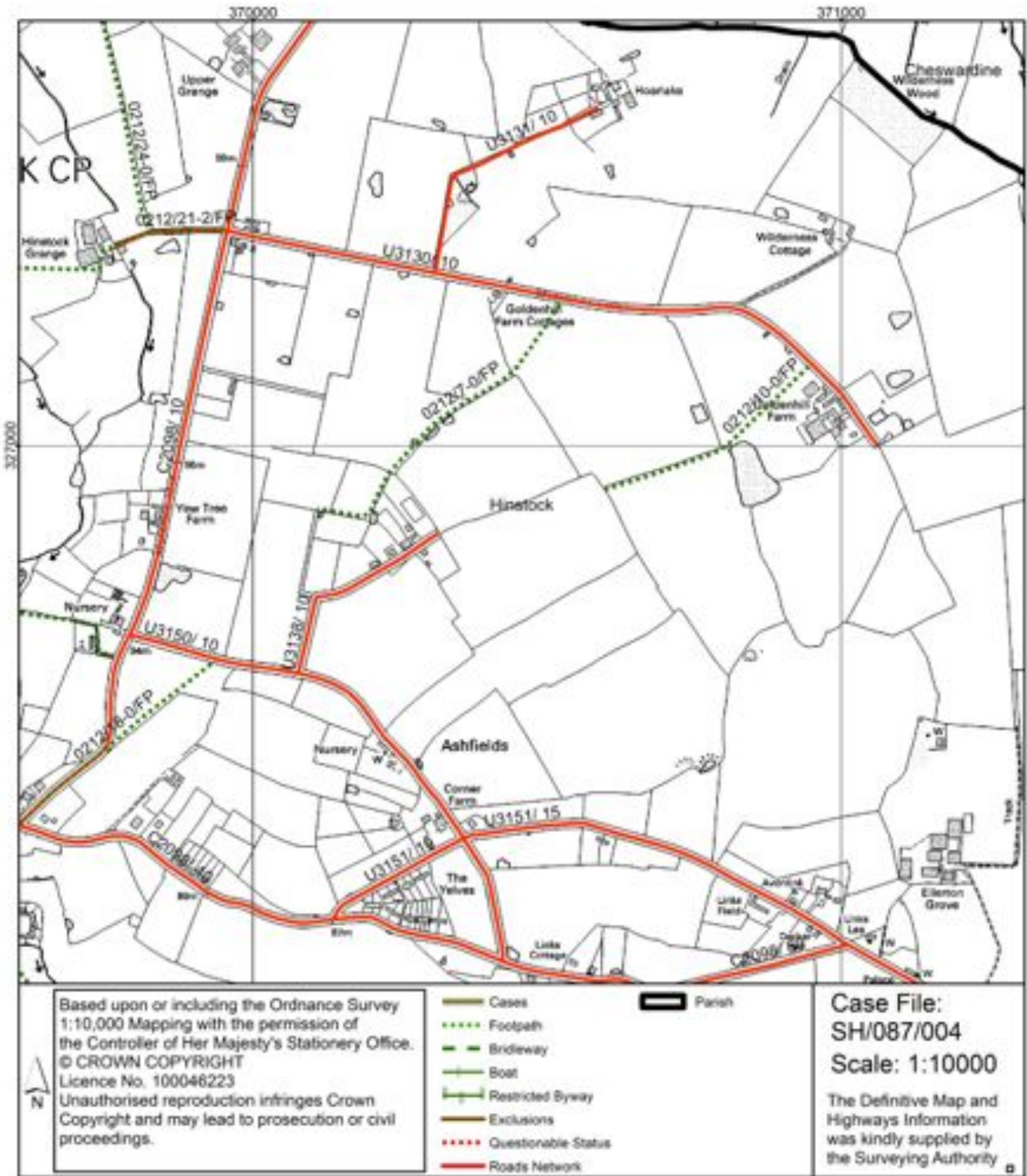
The route has a length of 319 metres.

During the research process, the whole of the case file reference number SH/087/004 was identified with the case route number HIN10. Both references are used in section 6 of this report. Where supporting evidence or conflicting evidence is being described, the case route number is used (in bold). Where there is no evidence the case file reference number is used (plain text).

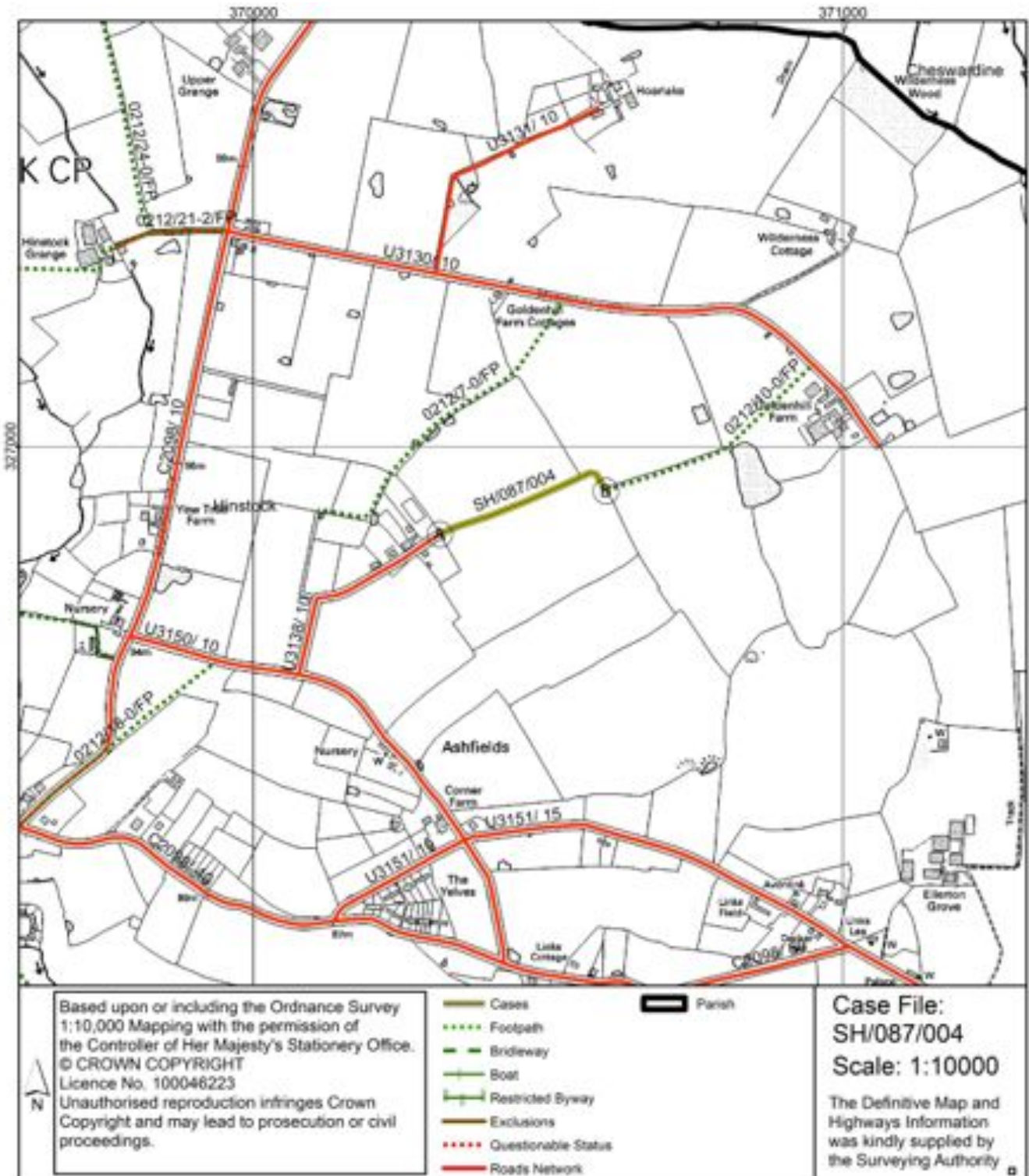
3. Location Plan



4. Current Definitive Paths



5. Case File Route Map



6. Details of Documentary Evidence

Records were examined at the locations detailed in the following table. A reference code has been allocated to each archive.

Archive	Address	Reference code
British Library	The British Library, St Pancras, 96 Euston Road, London, NW1 2DB	BL
Shropshire Record Office	Castle Gates, Shrewsbury, SY1 2AQ.	SHR
House of Lords Records Office	Parliamentary Archives, HLRO, London, SW1A 0PW, United Kingdom	HLRO
LandAspects	LandAspects, Rowan House, Lloyd Drive. Ellesmere Port, Cheshire, CH65 9HQ	LA
The National Archives	The National Archives, Kew, Richmond, Surrey, TW9 4DU	TNA

The following records were examined as part of the research programme. The documents are listed in chronological order. Those documents that are considered to contain relevant evidence for case SH/087/004 are shown in **bold**. This information is arranged in a standard format as follows:

Document Type, the Archive Reference Code, followed by the Document Reference Code, the Title and Date.

Where a document was researched at the British Library (with an archive reference code BL) no digital image was captured.

The Ordnance Survey 25" 1st and 2nd Edition image tiles (© And database right "Crown copyright and Landmark Information Group Ltd" all rights reserved 2007) included within each case file may not, on occasions, exactly reflect the original versions that have been used for research purposes. The original maps held at the British Library may not always be identical in extent and content to the image tiles

provided by Landmark. The image tiles can therefore only be used as a guide as to what the original document held at the British Library depicted. If the reader of the case files wishes to qualify any statements that have been in the file then they should consult versions held at the British Library.

1. Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWIS Lord Lieutenant and Custos Rotulorum of the Counties of SALOP AND MONTGOMERY This MAP of SHROPSHIRE is humbly and respectfully dedicated by his LORDSHIPS obliged and obedient Servant ROBERT BAUGH", dated 1808, covers the area but demonstrates no evidence for case SH/087/004.



2. Ordnance Survey Surveyors Drawings, BL 209, dated 1817, covers the area but demonstrates no evidence for case SH/087/004.

3. Non-Ordnance Survey Commercial Map, SHR GREENWOODS 1827, entitled "Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1816 & 1827 BY C. & J. GREENWOOD, Most Respectfully Dedicated To The NOBILITY, CLERGY & GENTRY OF Shropshire, By THE PROPRIETORS GREENWOOD, PRINGLE & Co. Regent Street. Pall Mall.... ", dated 1827, covers the area but demonstrates no evidence for case SH/087/004.



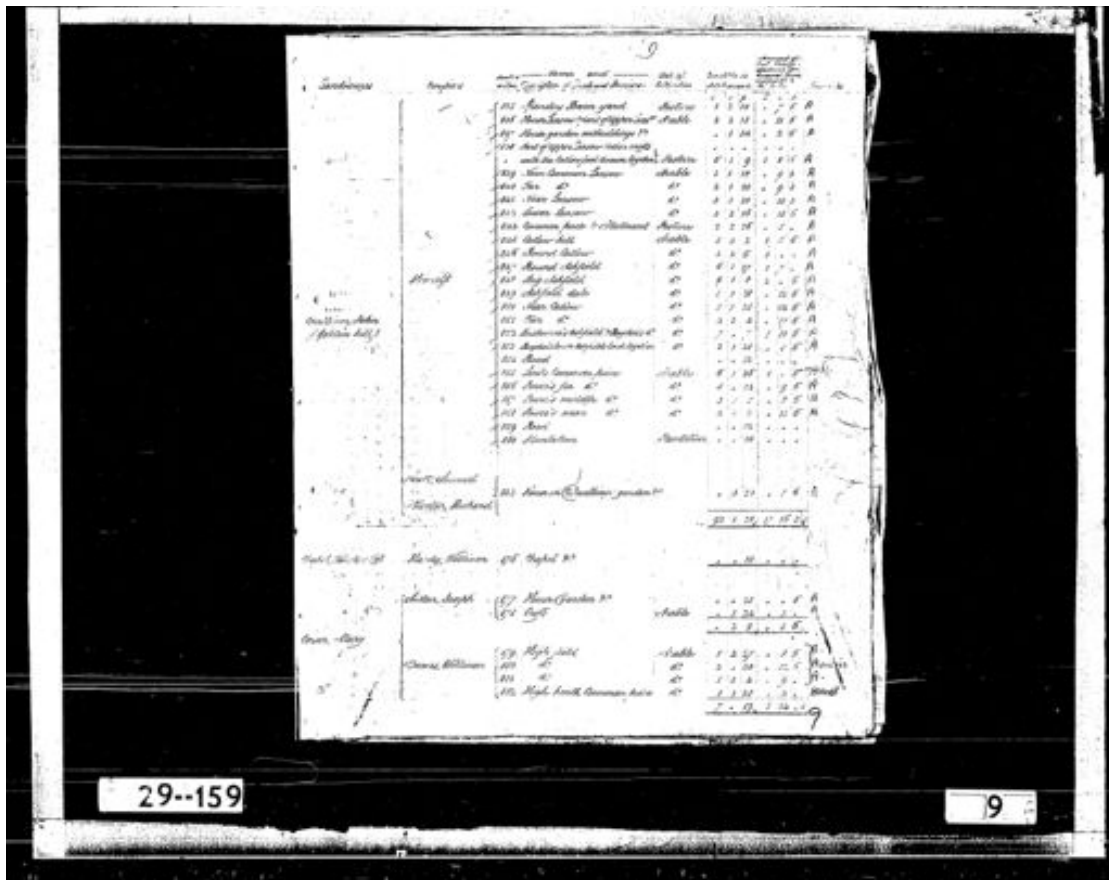
4. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1" : 1 mile, entitled "Folder 1 1833-35", dated 1833-35, demonstrates evidence for part of route HIN10. The route is observed to commence at the north east corner of the property marked "Ashfields" on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a dead end north east of its commencement point, above the letter "h" in "Ashfields" on the map.

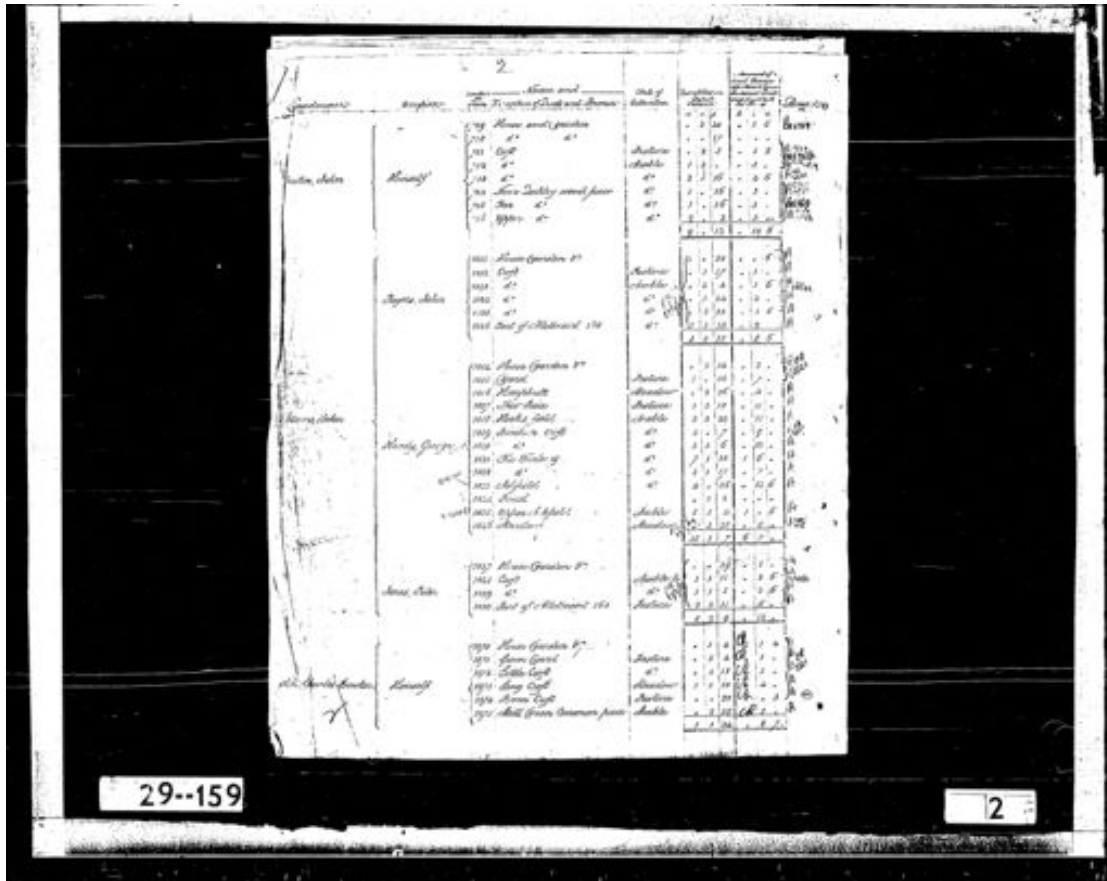


5. Tithe Map, TNA IR 30/29/159, entitled "A MAP of the parish of HINSTOCK in the County of SALOP", dated 1837, demonstrates evidence for all of route HIN10. The route is observed to commence at the north east corner of parcel "1063" on the map. The route is shown specifically numbered on the map in this case "854" and is depicted as consisting of two parallel solid black lines. The route is observed to change physical characteristics at the western corner of parcel "1023". The route is shown to be unnumbered but is contained within numbered parcel "1023" and is depicted as consisting of two parallel dashed black lines. The route is observed to change physical characteristics again at the eastern boundary of parcel "1023". The route is shown specifically numbered in this case "1024" and is depicted as consisting of two parallel solid black lines (in-filled). The route is observed to terminate at the south west corner of parcel "268" on the map.



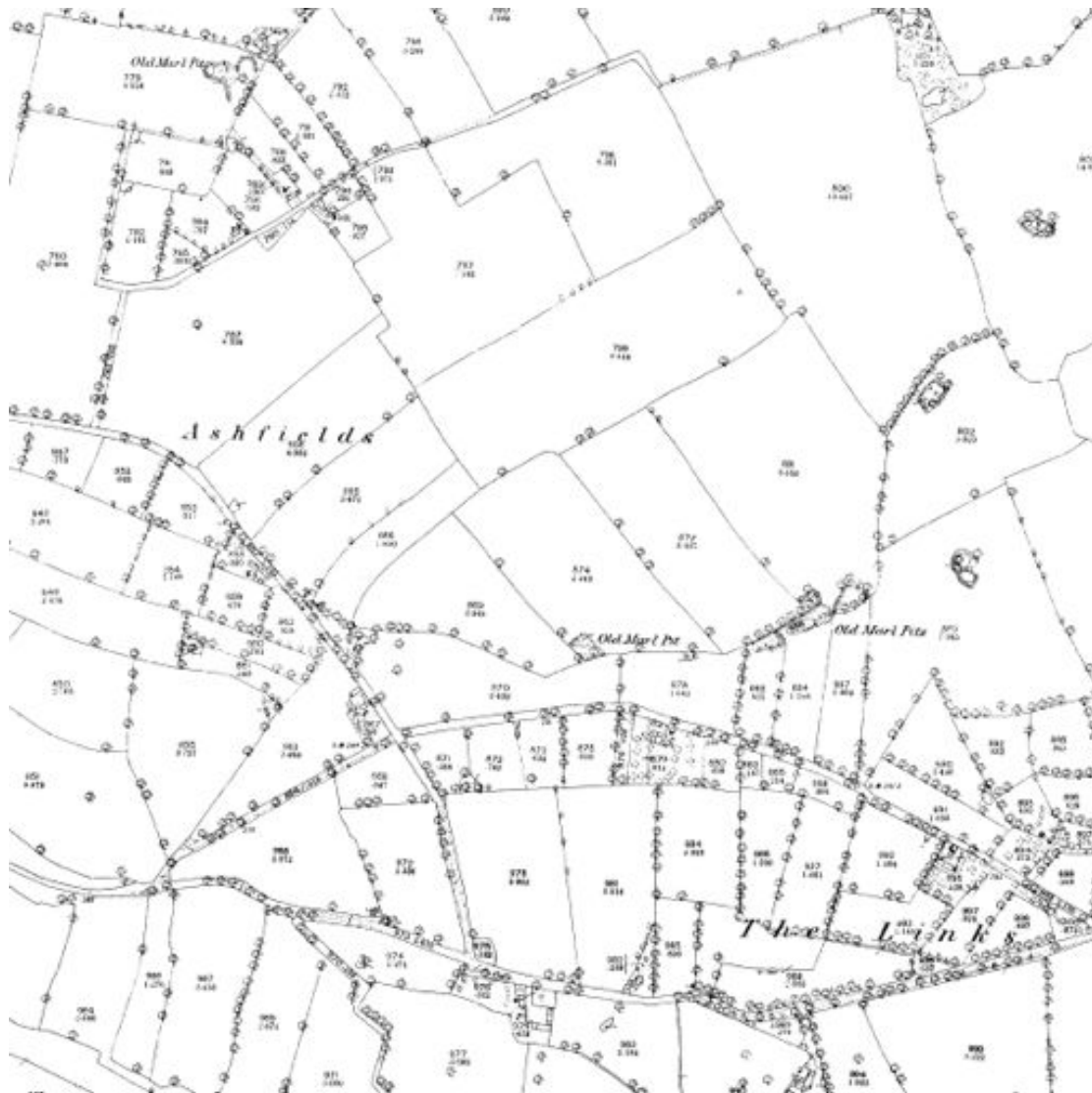
6. Tithe Apportionment, TNA IR 29/29/159, entitled "Apportionment of the Rent Charge in lieu of Tithes in the Parish of Hinstock in the County of Salop", dated 1837, demonstrates evidence for all of route HIN10. The route is described in a manner which fails to confer any indication of status, i.e. as "Road" on page "9", in parcel number "854" and as "Ashfield" on page "2", in parcel number "1023". The route is also described in a manner which fails to confer any indication of status, i.e. as "Road" on page "2", in parcel number "1024".





7. Ordnance Survey 25" 1st Edition, BL Vol 690 (7), entitled "Shropshire (Northern Division) Sheet XXIII.7 - Hinstock, Chetwynd & Cheswardine Parish & Cheswardine Parish (Det No.1) Parish", dated 1880, demonstrates evidence for all of route HIN10. The route is observed to commence at the north east corner of parcel "794" on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is shown on the map but is un-named. The route is shown specifically numbered on the map as "793". This route is observed to change physical characteristics at the south west corner of parcel "796". The route is shown on the map and is depicted as consisting of two parallel black lines (solid and dashed). The route is observed to change physical characteristics again at the south east corner of parcel "796". The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the north west corner of parcel "800" on the

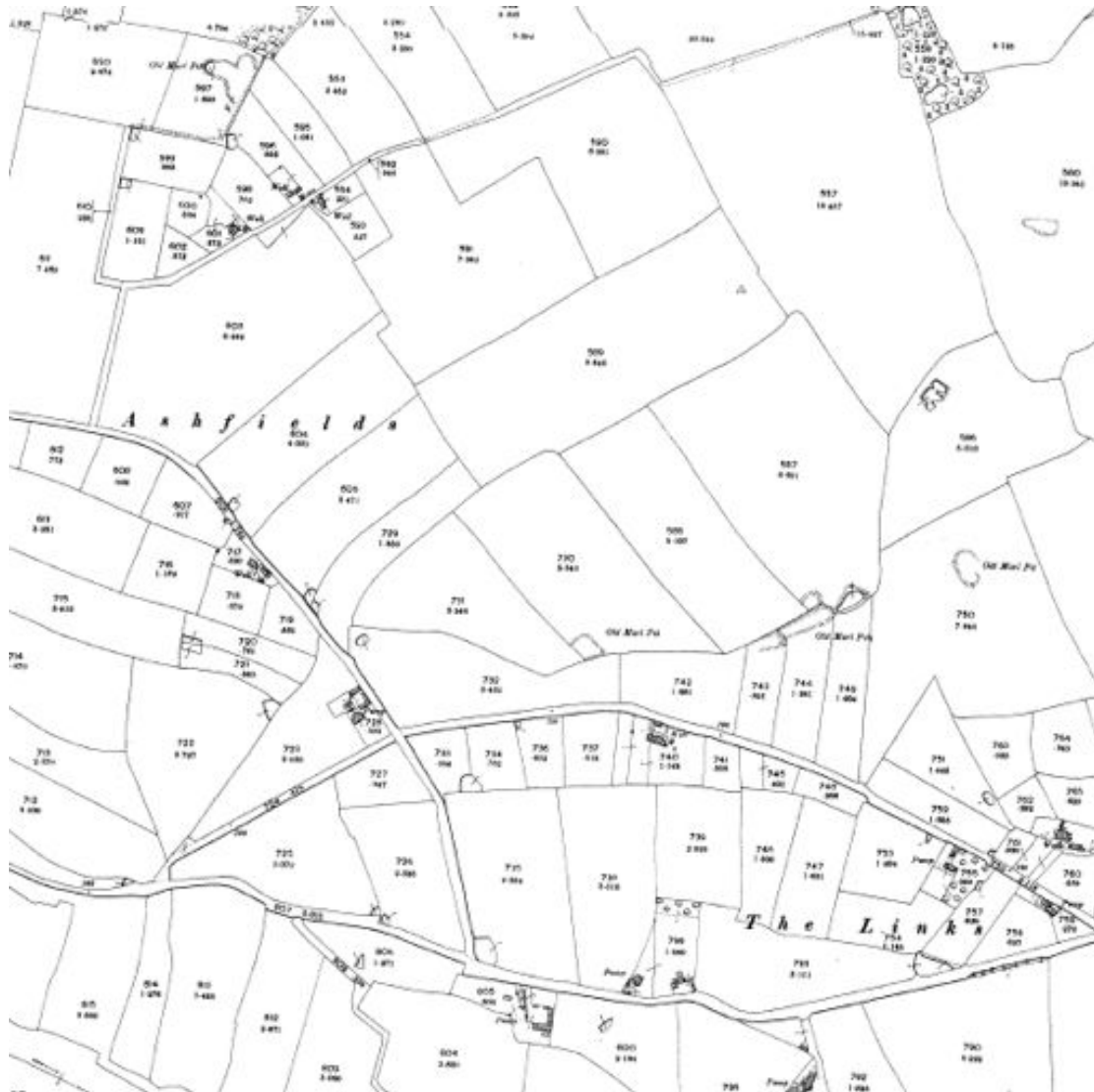
map.



8. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Hinstock, Shropshire-(Northern Division) ", dated 1881, covers the area but demonstrates no evidence for case SH/087/004.

9. Ordnance Survey 25" 2nd Edition, BL 1601(39), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXIII.7", dated 1900, demonstrates evidence for all of route HIN10. The route is observed to commence at the north east corner of and parcel "594" on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is shown on the map but is un-named. The route is observed to change physical characteristics at the south west corner of parcel "554" and is depicted as consisting of two parallel black lines (solid and dashed). The route is observed to change physical

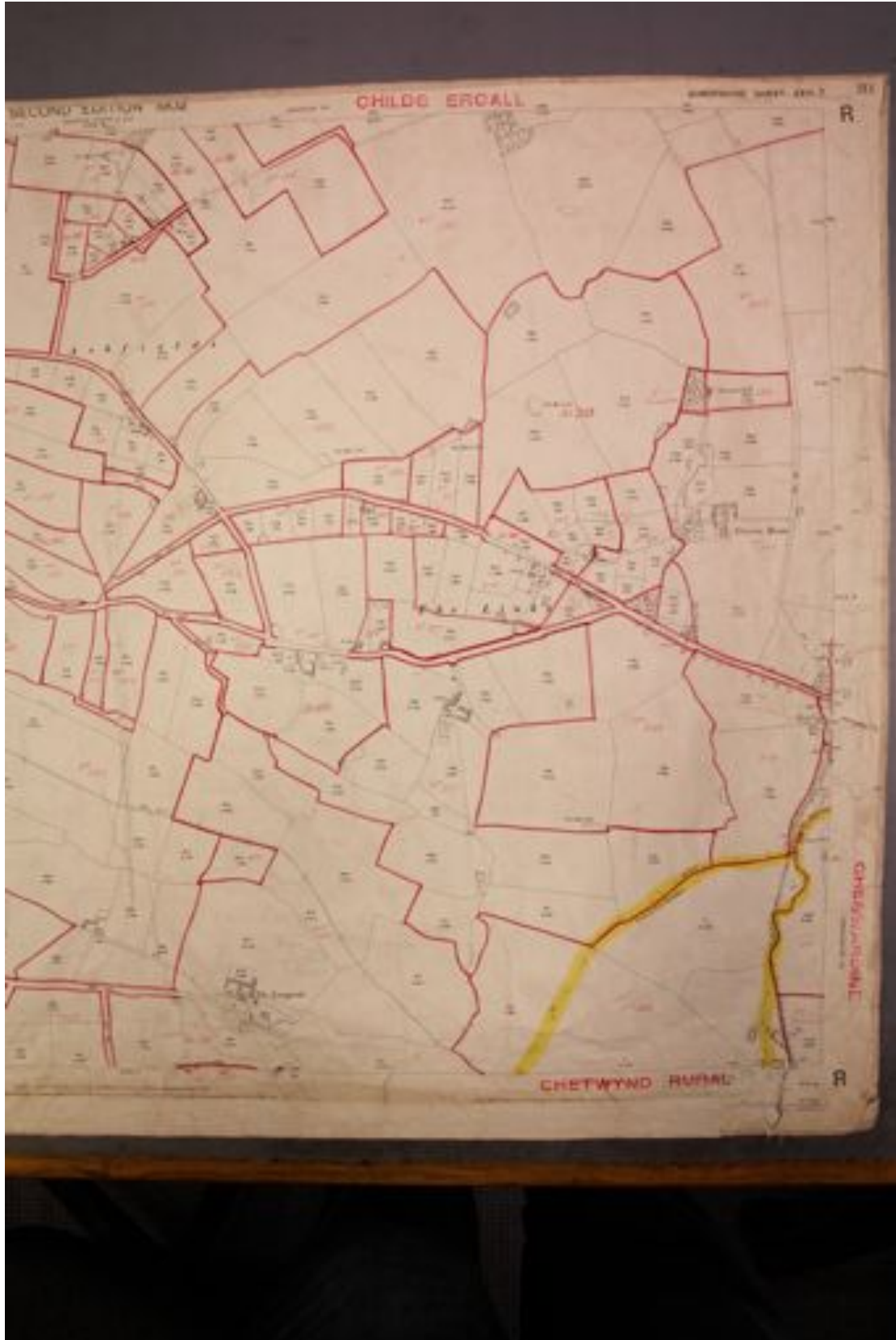
characteristics again at the south east corner of parcel "554" and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the north west corner of parcel "557" on the map.



10. Ordnance Survey 1" New Series, BL Maps 1175 (134.) Sheet 139, entitled "OS of England Stafford", dated 1902, demonstrates evidence for all of route HIN10. The route is observed to commence at a point south east of the "n" of "Linksccommon". The route is shown on the map depicted as consisting of two parallel dashed black lines and is described in the key as '3rd class metalled road'. The route is shown on the map but is un-named. The route is observed to terminate at a point east of the "n" of "Linksccommon".

11. Finance Act Survey Map, TNA IR 132/4/245, entitled "SHROPSHIRE SHEET XXXIII.7 - SECOND EDITION 1902", dated 1909, demonstrates evidence for all

of route HIN10. The route is observed to commence at the south west corner of Ordnance Survey parcel "553" on the map. The route is shown uncoloured and excluded from hereditaments. The route is observed to terminate at the north west corner of parcel "557" on the map.





7. Interpretation of Evidence from Individual Records

Evidence of status:

This evidence concerns the existence of a public right of way. The ARU's research establishes whether a way is described as "public" or "private" and whether public rights can be inferred from other information provided within the documentary source.

Evidence of status is categorised as follows:

Category	Name	Significance
A	Express Dedication	Supporting evidence
B(i)	Surveyor's Opinion / Strong Reputation	
B(ii)	Inferred Dedication / Reputation	
C	Neutral	Status neutral
D	Private	Contradictory evidence
E	Stopping Up	

The individual pieces of evidence which singly or together lead to a particular categorisation vary depending on the particular source being considered and are described in detail in Section 5 of the relevant Research Standard for that source.

The following items of evidence were found to relate to the status of the case file route:

Document Group	Evidence Cat.	Document	Date	See Section	Code	Code Description
Ordnance Survey Records 1" Old Series	C	SHR Map Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	6.4	OSM5	Route shown on OS 1" Old Series map
Tithe Survey Records	C	TNA Map IR 30/29/159 - A MAP of the parish of HINSTOCK in the County of SALOP	1837	6.5	TM1	Route specifically numbered on plan
					TM2	Route not numbered specifically but is contained within numbered parcel
		TNA Apportionment IR 29/29/159 - Apportionment	1837	6.6	TA3	Described as non status specific, 'Occ Road', 'Ft path'

		t of the Rent Charge in lieu of Tithes in the Parish of Hinstock in the County of Salop			TA4	Described as non-route specific, 'Field and Pond'
Ordnance Survey Records 25" 1st Edition	C	BL Map Vol 690 (7) - Shropshire (Northern Division) Sheet XXIII.7 - Hinstock, Chetwynd & Cheswardine Parish & Cheswardine Parish (Det No.1) Parish	1880	6.7	OSM6	Route Shown on OS 1st Edition 25" Map
					OSM2	Route un-named on map
					OSM23	Route specifically numbered on plan
Ordnance Survey Records 25" 2nd Edition	C	BL Map 1601(39) - SECOND EDITION 1902 SHROPSHIRE SHEET XXIII.7	1900	6.9	OSM12	Route Shown on OS 2nd Edition 25" Map
					OSM9	Route un-named on map
Ordnance Survey Records 1" New Series	B(ii)	BL Maps 1175 (134.) Sheet 139 - OS of England Stafford	1902	6.10	OSM26	Route described as '3rd class metalled road' on key or Characteristics Sheet
					OSM20	Route un-named on map
Finance Act Survey Records	B(i)	TNA Map IR 132/4/245 - SHROPSHIRE SHEET XXXIII.7 - SECOND EDITION 1902	1909	6.11	FA1	Route excluded from Hdtmt

Evidence of class:

This evidence refers of the type of rights enjoyed over the case file route. Evidence is recorded according to the traditional classes of public right of way recorded in documentary evidence: i.e. footpath, bridleway or carriageway. The status and class together may be identified clearly in a document (e.g. public footpath, private carriageway, etc.), but in other cases information on class may not be specified (e.g. "highway").

The following items of evidence were found to relate to the class of the case file route:

Document Group	Document	Date	Code	Code Description
Ordnance Survey	SHR Map Ordnance	1833-35	RC14	Unspecified

Records 1" Old Series	Survey Old Series 1" : 1 mile - Folder 1 1833-35			
Tithe Survey Records	TNA Map IR 30/29/159 - A MAP of the parish of HINSTOCK in the County of SALOP	1837	RC14	Unspecified
	TNA Apportionment IR 29/29/159 - Apportionment of the Rent Charge in lieu of Tithes in the Parish of Hinstock in the County of Salop	1837	RC12	Road
Ordnance Survey Records 25" 1st Edition	BL Map Vol 690 (7) - Shropshire (Northern Division) Sheet XXIII.7 - Hinstock, Chetwynd & Cheswardine Parish & Cheswardine Parish (Det No.1) Parish	1880	RC14	Unspecified
Ordnance Survey Records 25" 2nd Edition	BL Map 1601(39) - SECOND EDITION 1902 SHROPSHIRE SHEET XXIII.7	1900	RC14	Unspecified
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) Sheet 139 - OS of England Stafford	1902	RC12	Road
Finance Act Survey Records	TNA Map IR 132/4/245 - SHROPSHIRE SHEET XXXIII.7 - SECOND EDITION 1902	1909	RC14	Unspecified

Evidence of physical characteristics:

This evidence relates to the physical appearance of the case file route as recorded in documentary sources, even if these sources do not themselves contain evidence of the route's status or class.

Items of evidence relating to physical characteristics are recorded using a series of 'physical appearance' codes.

The following items of evidence were found to relate to the physical characteristics of the case file route:

Document Group	Document	Date	Code	Code Description
Ordnance Survey Records 1" Old Series	SHR Map Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	PA1	two parallel solid black lines
Tithe Survey Records	TNA Map IR 30/29/159 - A MAP of the parish of HINSTOCK in the County of SALOP	1837	PA1	two parallel solid black lines
			PA2	two parallel dashed black lines
			PA3	two parallel solid black lines (in-filled)
Ordnance Survey Records 25" 1st Edition	BL Map Vol 690 (7) - Shropshire (Northern Division) Sheet XXIII.7 - Hinstock, Chetwynd & Cheswardine Parish & Cheswardine Parish (Det No.1) Parish	1880	PA1	two parallel solid black lines
			PA7	two parallel black lines (solid and dashed)
Ordnance Survey Records 25" 2nd Edition	BL Map 1601(39) - SECOND EDITION 1902 SHROPSHIRE SHEET XXIII.7	1900	PA1	two parallel solid black lines
			PA7	two parallel black lines (solid and dashed)
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) Sheet 139 - OS of England Stafford	1902	PA2	two parallel dashed black lines
Finance Act Survey Records	TNA Map IR 132/4/245 - SHROPSHIRE SHEET XXXIII.7 - SECOND EDITION 1902	1909	PA1	two parallel solid black lines
			PA7	two parallel black lines (solid and dashed)
			PA1	two parallel solid black lines

Evidence of width:

This evidence relates to the legal width of the case file route – for example, legally defined widths (e.g. in Inclosure Awards).

There is no evidence to support a legal width for the route.

8. Overall Evaluation of Evidence

The evaluation of the evidence has been carried out in accordance with the Discovering Lost Ways Project's series of Research Standards (for specific references see Appendix A below).

Findings from the main documentary sources:

1. Finance Act Survey Records

The Finance Act Survey Map shows evidence for the route. It is shown uncoloured and excluded from hereditaments on both. This suggests that the route was considered to be a public highway at the time of the Finance Act Survey, but does not in itself provide evidence about the class of rights that existed over it.

2. Tithe Survey Records

The Tithe Map demonstrates evidence for the route. The route is shown specifically numbered on the map and is depicted as consisting of two parallel solid black lines. The route is observed to change physical characteristics and is shown to be unnumbered but is contained within a numbered parcel. The route is observed to change physical characteristics again and is shown specifically numbered on the map. The Tithe apportionment describes the route in a manner which fails to confer any indication of status, i.e. as "Road", "Ashfield" and "Road".

3. Ordnance Survey Records

a. Ordnance Survey 1" Old Series Map

The Ordnance Survey 1" Old Series Map demonstrates evidence for the route. The route is shown on the map and is depicted as consisting of two parallel solid black lines.

b. Ordnance Survey 25" 1st Edition

The Ordnance Survey 25" 1st Edition demonstrates evidence for the route. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is shown un-named but specifically numbered on the map as. This route is observed to change physical characteristics and is depicted as two parallel black lines (solid and dashed). The route is observed to change physical characteristics again and is depicted as consisting of two parallel solid black lines.

c. Ordnance Survey 25" 2nd Edition

The Ordnance Survey 25" 2nd Edition demonstrates evidence for the route. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is shown on the map but is un-named. The route is observed to change physical characteristics and is depicted as consisting of two parallel black lines (solid and dashed). The route is observed to change physical characteristics again and is depicted as consisting of two parallel solid black lines.

d. Ordnance Survey 1" Revised New Series Map

The Ordnance Survey 1" Revised New Series Map demonstrates evidence for the route. The route is shown on the map as consisting of two parallel dashed black lines and is described in the key '3rd class metalled road'. For the purpose of the Discovering Lost Ways Project research it has been agreed that the showing of routes as 1st 2nd and 3rd class metalled roads on OS 1" New Series maps will be taken as evidence of public vehicular rights. It is considered therefore that a public vehicular right of way existed over the route at the time of the survey.

Alignment of the case file route:

From the analysis of the Tithe map and Modern Ordnance Survey Maps, the route does not appear to have changed alignment.

Evidence of Width:

There is no evidence to support a legal width for the route.

Contradictory evidence:

No contradictory evidence was found for the route.

Outcome of the evaluation:

Case file SH/087/004 was included in the research scope by the Discovering Lost Ways Project during the course of research due to the discovery of evidence suggesting the existence of a public right of way.

From the documents examined it is possible to establish that the case file route is shown on the Finance Act Survey map uncoloured and excluded from hereditaments. This suggests that part of the route was considered to be a public highway at the time of the Finance Act Survey, but does not in itself provide evidence about the class of rights that existed over it.

The Ordnance Survey 1" New Series Map, demonstrates evidence for the route. The route is shown on the map and is described in the key as '3rd class metalled roads'. For the purpose of the Discovering Lost Ways Project research it has been agreed that the showing of routes as 1st, 2nd or 3rd class metalled roads on OS 1" New Series maps will be taken as evidence of the existence of public vehicular rights. It is felt therefore that a public vehicular right of way existed over the route at the time of the survey.

The evidence found meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981 that a public right of way subsists or is reasonably alleged to subsist and has therefore been categorised as "Strong", supporting the making of a definitive map modification order application to add the route to the Definitive Map

Appendix A - Methodological Statement

A series of technical papers describing the standard for research carried out by the Archive Research Unit have been developed. The DLW Research Standards provide a basis for quality assurance of evidence reports produced by the ARU and the accreditation of any lost ways claims made by Natural England.

The following Research Standard technical papers were used to develop this evidence report:

Technical paper
Discovering Lost Ways Research Standard 2.0: Research Scope
Discovering Lost Ways Research Standard 3.2: Tithe Survey Records
Discovering Lost Ways Research Standard 3.3: Finance Act Survey Records
Discovering Lost Ways Research Standard 3.7: Ordnance Survey Records
Discovering Lost Ways Research Standard 4.0: Combining & Evaluating Evidence

Appendix B - Acknowledgements

In reproducing certain images from historic documents contained within this report the following copyright terms and conditions apply:

The National Archives

Images reproduced by courtesy of The National Archives, London, England.

www.nationalarchives.gov.uk

The National Archives gives no warranty as to the accuracy, completeness or fitness for the purpose of the information provided.

Images may be used only for purposes of research, private study or education. Applications for any other use should be made to The National Archives Image Library, Kew, Richmond, Surrey, TW9 4DU. Infringement of the above condition may result in legal action.

Landmark Information Group

© And database right "Crown copyright and Landmark Information Group Ltd" (all rights reserved 2007).

Historic Ordnance Survey

Where out of copyright images are reproduced from historic Ordnance Survey material the appropriate catalogue reference number and date of publication are indicated.