
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:-

Upgrading the bridleway which runs from Point A (OSGR SJ 5620 3095) to Point B (OSGR SJ 5653 3096) to a
restricted byway and shown on the accompanying map.

I attach copies of the following documentary evidence in support of this application:-

- **Natural England Discovering Lost Ways Case File SH/146/004BHS which contains copies of the following documents or extracts thereof:**
- Turnpike Plan, SHR DP/272, entitled "Plan of the Proposed Road", dated 1810
- 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 (...)", dated 1827
- Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1mile, entitled "Folder 1 1833 - 1835", dated 1833 - 1835
- Ordnance Survey 25" 1st Edition, BL Vol 687 (44), entitled "Shropshire Sheet (Northern Division) Sheet XV.9 - Prees, Wem, & Weston and Wixhill under Redcastle Parishes", dated 1880
- Ordnance Survey 25" 2nd Edition, BL 1599 (41), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XV. 9", dated 1900
- Finance Act Survey Map, TNA IR 132/4/142, entitled "Shropshire Sheet XV.9 - Second Edition 1902", dated 1909/1910

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

Signed: .



Date: 03/09/2020

Wildlife and Countryside Act 1981

**Map to Accompany
Definitive Map Modification Order Application**

For a route at Nook Lane in the Parish of Prees, Shropshire to be shown as a
Restricted Byway

Applicant's Reference: DLW SH/146/004



03/09/2020

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/146/004
Name	Un-named
Historic County	Shropshire
Sub-Unit	Shropshire Sub-unit 1
Parish(es)	Prees
Surveying Authority	Shropshire County Council
Definitive Map Ref. No.	0224/29A-1/RUPP, 0224/29A-2/RUPP, 0224/29A-3/RUPP, 0224/29A-4/RUPP, 0224/29A-5/RUPP, 0224/29AY-0/BW & 0224/29AY-1/BW
Other Designation(s) Ref. No.	None
Route Length	2125 metres
OS 1:10,000 Sheet(s)	SJ53SE
Grid Ref (start)	SJ5619 3096
Grid Ref (end)	SJ5622 3073
ARU ASSESSMENT OUTCOME	
Status/Class	A – B Public carriageway
Strength	A – B Strong
Comment	Shown uncoloured and excluded from the hereditaments in the Finance Act Survey map, and described in part on the OS 1 st New Series Map as a 3rd Class Road.

Date:

02 May 2008

LandAspects
Rowan House
Lloyd Drive
Ellesmere Port
Cheshire CH65 9HQ

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1. Summary of Findings

Case file SH/146/004 was included in the research scope by the Discovering Lost Ways project at the request of Shropshire County Council as there is the suggestion that there may be evidence to support the existence of higher rights over an existing public right of way.

From the documents examined it is possible to establish that length A – B – E of the case file route is shown on the Finance Act Survey map uncoloured and excluded from hereditaments. This suggests that this length 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. One Non-Ordnance Survey Commercial map shows this length of the route described under the heading "Cross Roads". For the purposes of the Discovering Lost Ways research, the identification of this part of the route as a cross road is taken as evidence of reputation of the route as a highway, but is not taken in itself to provide evidence of the class of these rights above that of a bridleway. The Deposited Turnpike Record identifies part of length B - E as a through route and is labelled on the map as "To the Nook".

The Ordnance Survey 1" Revised New Series map demonstrates evidence for length A – B – E of the case file route. The route is shown on the map and is described in the key under the heading "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 Ordnance Survey 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. It is also shown on the supporting Ordnance Survey maps but gives no evidence of status.

Length A – B – E is currently shown on the definitive map as part bridleway and part restricted byway. The evidence for length B – E confirms the status and class of the route therefore this section has been categorised as "insufficient evidence for further action". The evidence for length A – B suggests that there is evidence of higher rights over the existing bridleway. The evidence for this length of the route meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981, and has been categorised "strong". It is recommended that a definitive map modification order application be made to record public carriageway rights on the definitive map.

Length D – C – B is shown partly uncoloured and excluded from hereditaments on the Finance Act Survey map. This suggests that part of this length 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 remaining length is shown included in hereditaments but there is no evidence in the field book for a deduction for a right of way. There is no evidence of class identified for length D – C – B therefore given that the route is shown as a current public bridleway and part of an existing restricted byway length D – C – B has been categorised as “insufficient evidence for further action”.

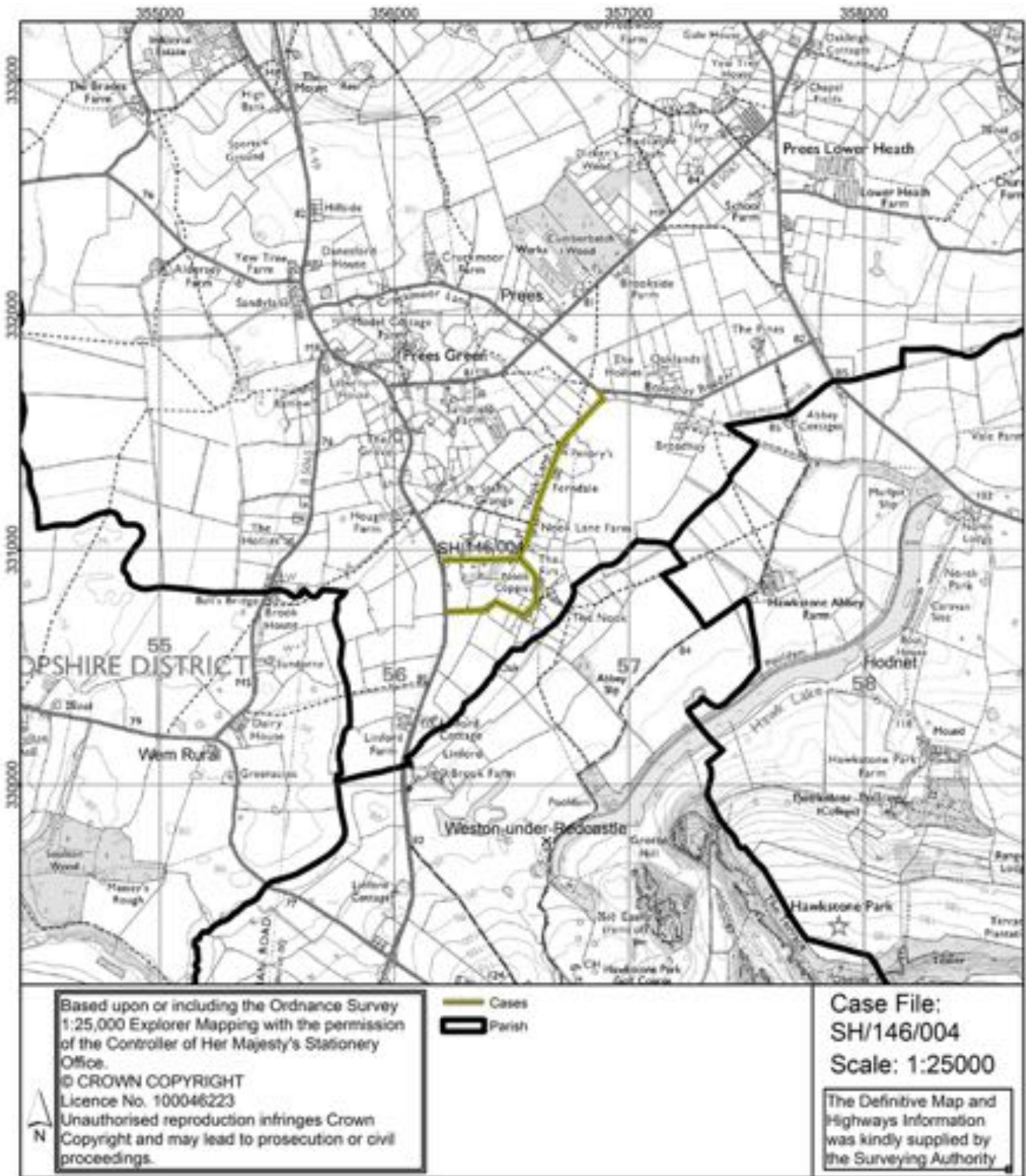
2. Description of Route

The route begins on 0224/29AY-0/BW at the junction with A49/170 at coordinate SJ5619 3096 (point A on the Case File Route Map). The route then heads along 0224/29AY-0/BW in an easterly direction to the junction with 0224/29A-1/RUPP and 0224/29A-2/RUPP at coordinate SJ5653 3096 where the route split into two (point B on the Case File Route Map). The first part of the route heads along 0224/29A-2/RUPP, 0224/29A-3/RUPP and 0224/29A-5 in a north easterly direction to the junction with Broadhay Road (C2073/50) at coordinate SJ5687 3167, where this part of the route terminates (point E on the Case File Route Map). The second part of the route heads along 0224/29A-1/RUPP in a south easterly direction to the junction with 0224/29A-2/BW and 0224/29A-1/BW at coordinate SJ5660 3077 (point C on the Case File Route Map). The route then heads along 0224/29A-1/BW in a westerly direction to the junction with A49/170 at coordinate SJ5622 3073, where this route terminates (point D on the Case File Route Map).

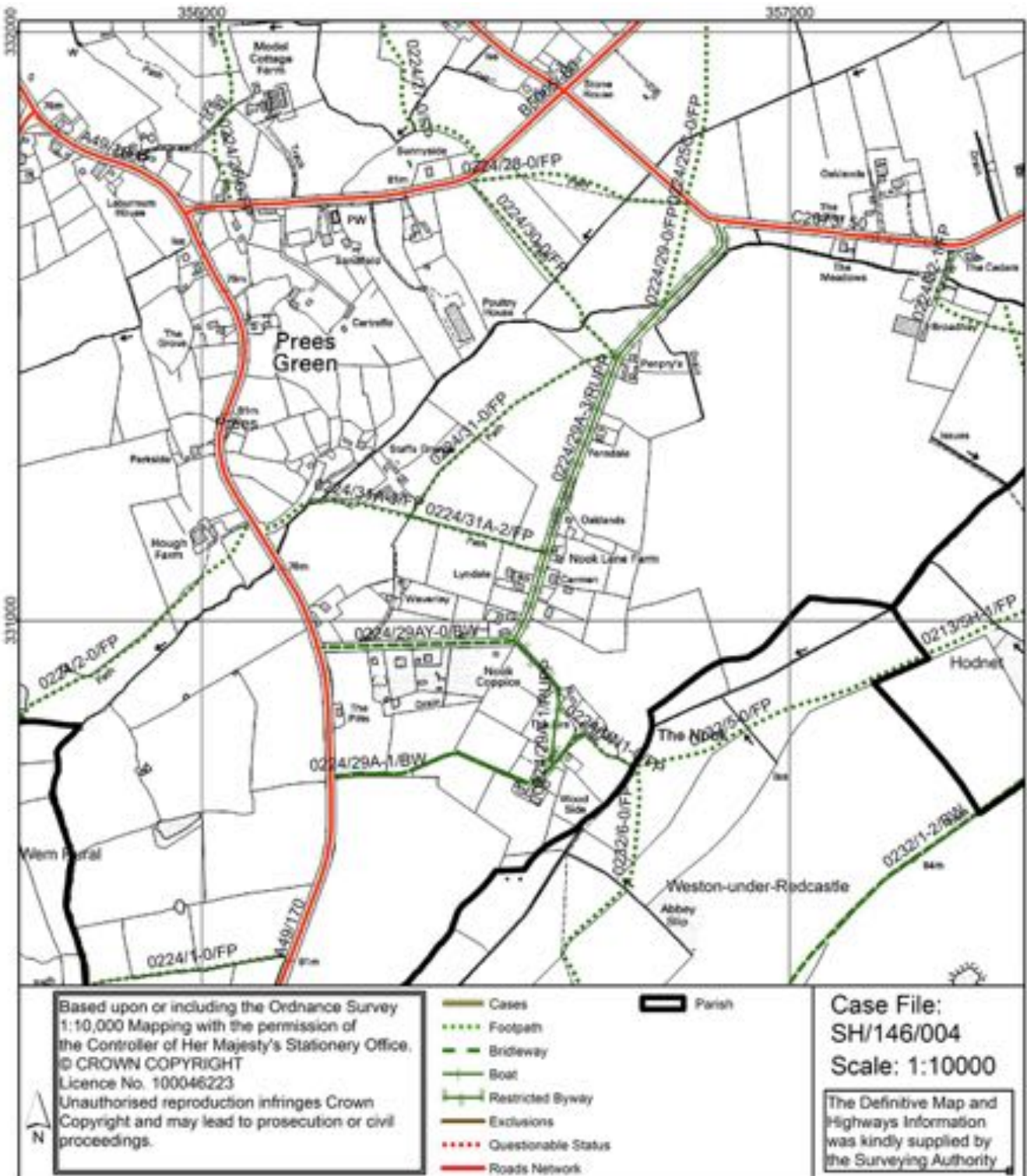
The route has a length of 2125 metres.

During the research process, the whole of the case file reference number SH/146/004 was identified with the case route number T000770. Both references are used in section 6 of this report. Where documents are considered to contain relevant evidence the case route number is used (in bold). Where there is no evidence the case file reference number is used (plain text).

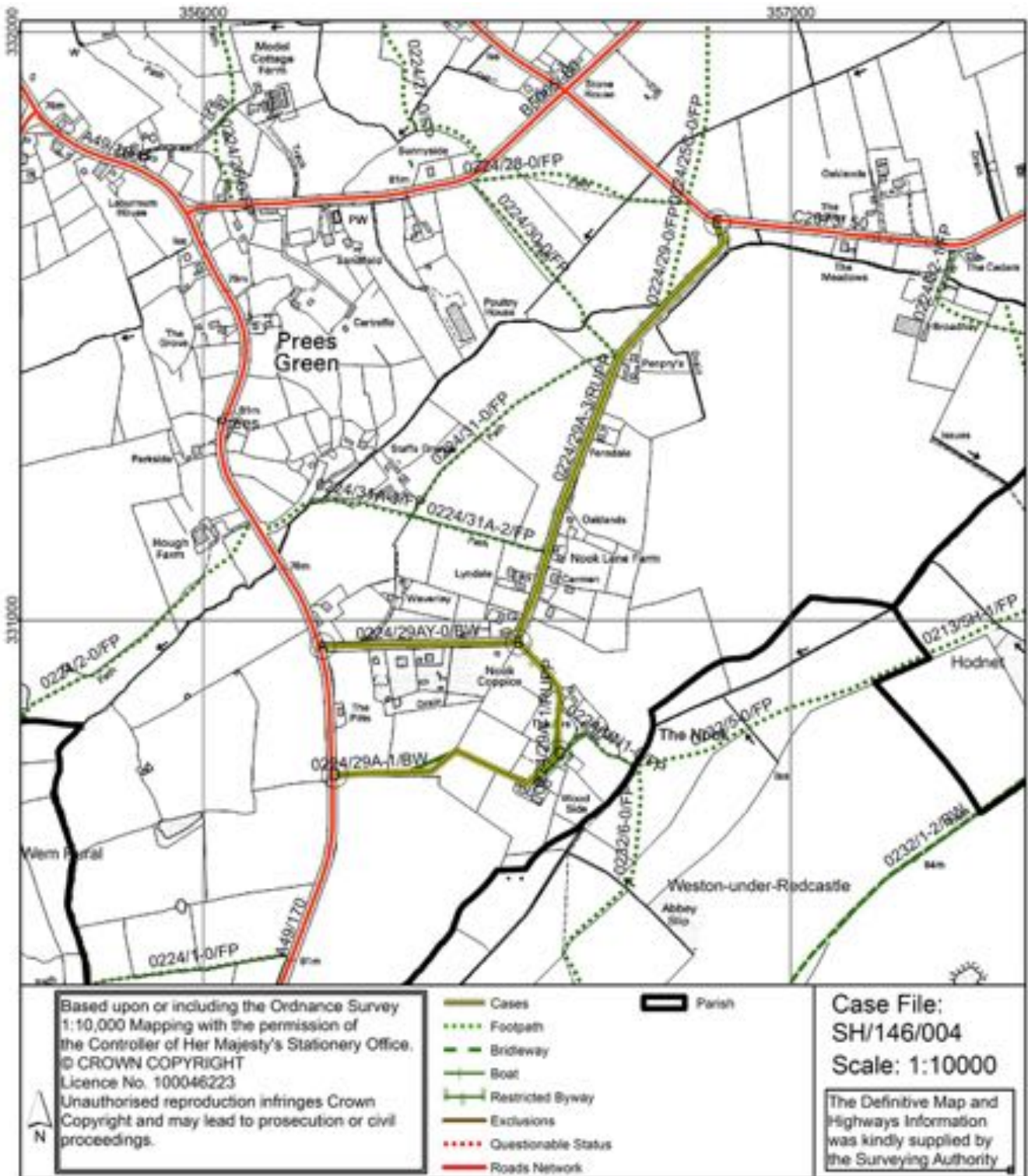
3. Location Plan



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/146/004 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.

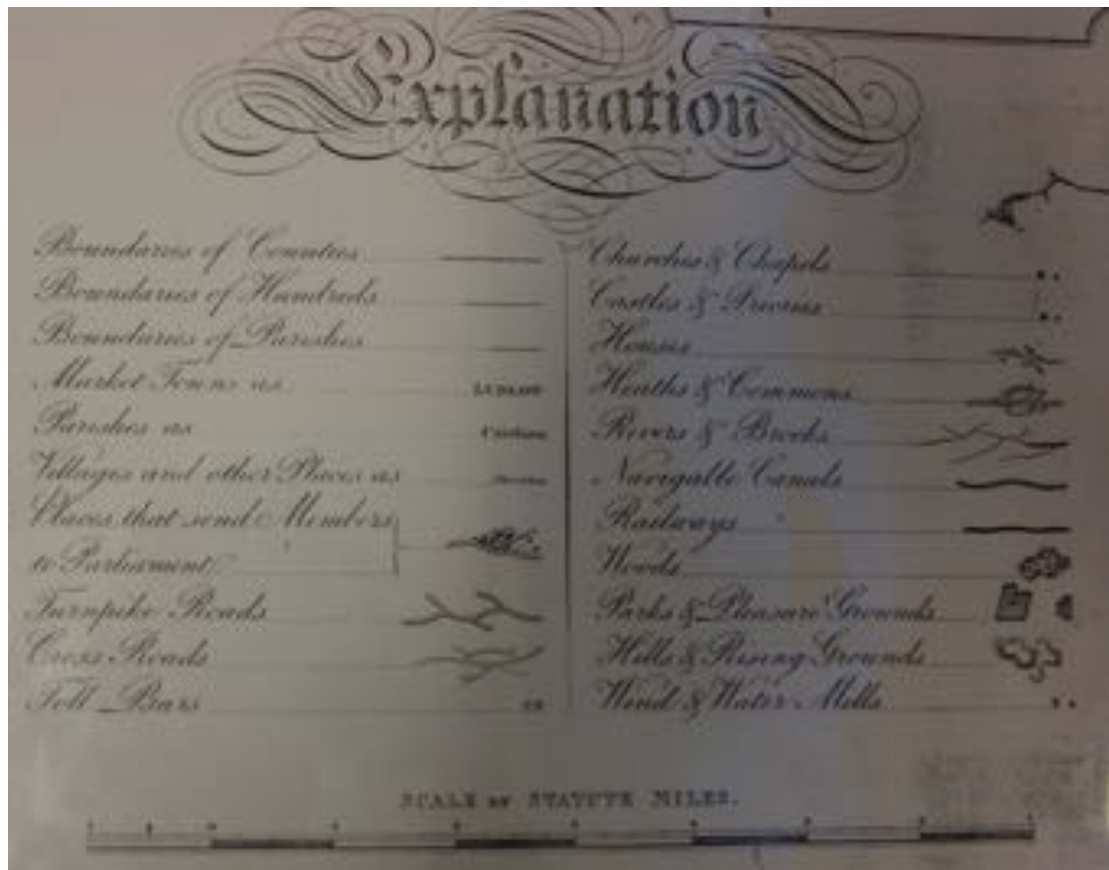
1. Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWIS Lord Lieutenant and Custos Rotulorum of the Counties of SALOP AND MONTGOMERY This MAP of SHROPSHIRE is humbly and respectfully dedicated by his LORDSHIPS obliged and obedient Servant ROBERT BAUGH", dated 1808, covers the area but demonstrates no evidence for case SH/146/004.

2. Turnpike Plan, SHR DP/272, entitled "Plan of the Proposed Road", dated 1810, demonstrates evidence for part of route T000770 (B – E). The route is observed to commence at the north east corner of parcel "88" on the map. The route is shown un-numbered on the plan and is depicted as consisting of two parallel solid black lines (in-filled). The route is shown as a through route and is labelled on the map as "To the Nook". The Limits of Deviation are not shown on the plan. The route is observed to terminate at a point just south east of the commencement point on the map.



3. Non-Ordnance Survey Commercial Map, SHR GREENWOODS 1827 , entitled "Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1826 & 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, demonstrates evidence for part of route T000770 (A – B – E). The route is observed to commence south west of Prees Green" on the map. The route is described in the map key under the heading "Cross Roads" and is depicted as consisting of two parallel solid black lines. The route is observed to terminate north east of Prees Green" on the map.





4. Ordnance Survey Surveyors Drawings, SHR 326, entitled "PARTS OF Shropshire Cheshire and Flintshire", dated 1829, demonstrates evidence for all of route T000770. The route is observed to commence south west "The Nook" on the map. The route is shown uncoloured on the Ordnance Surveyor's Drawings and is depicted as consisting of two parallel solid black lines. The route is observed to terminate north west of "Broad Hay" on the map.

5. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1mile, entitled "Folder 1 1833 - 1835", dated 1833 - 1835, demonstrates evidence for all of route T000770. Length A – B – E is observed to commence at a junction with another route west of the "The Nook" on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. Length A - B - E route is observed to terminate at a junction with another route north

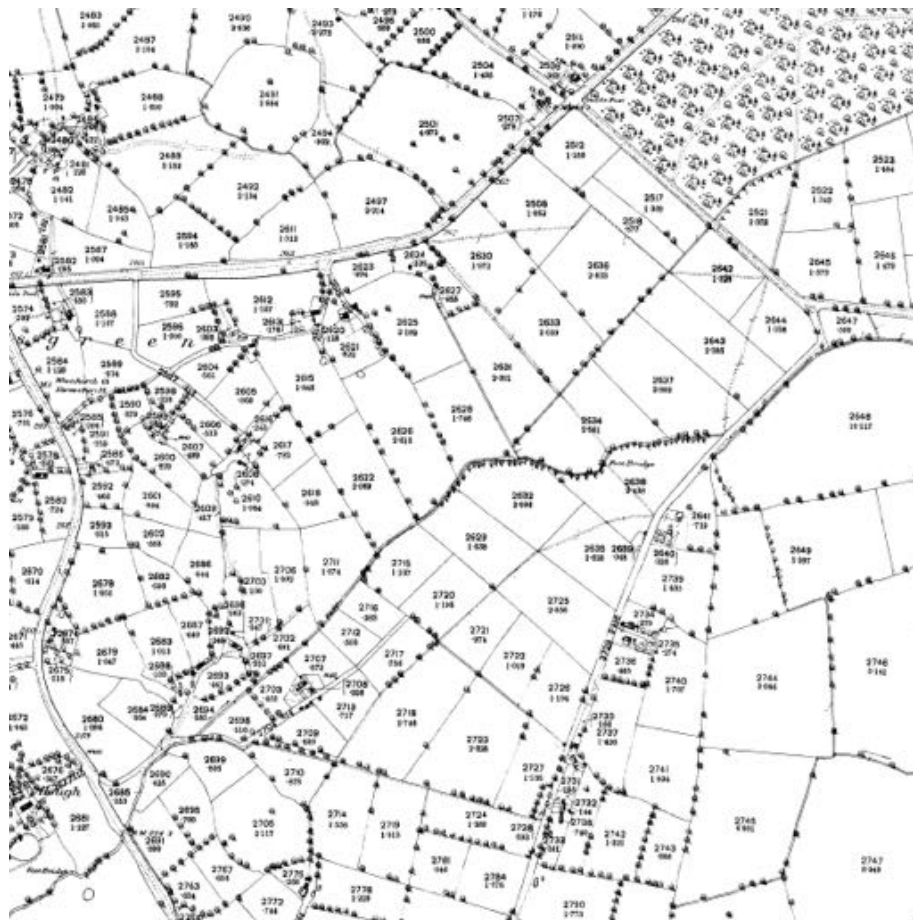
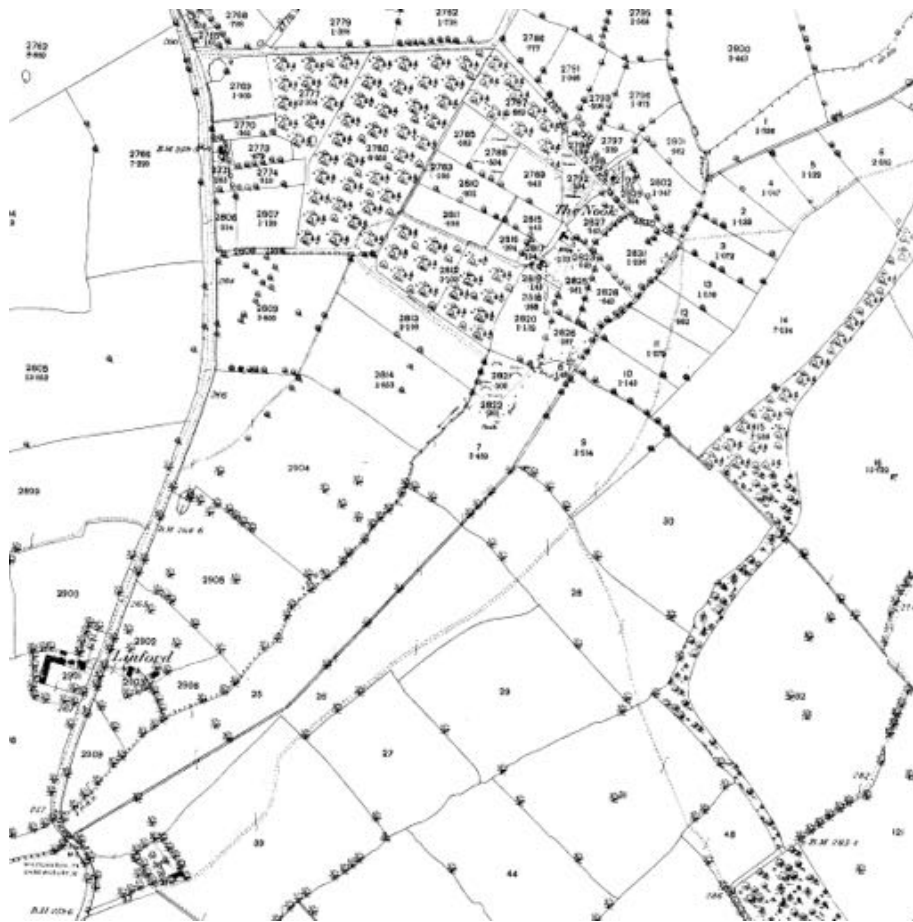
west of "Broad Hay" on the map. Length D – C – B is observed to commence at a junction with another route south west of "The Nook" on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. Length D – C – B is observed to terminate west of "The Nook" on the map.



6. Estate Map, SHR 2965/1, entitled "ESTATE in the PARISH of LEE BROCKHURST WITH LAND IN THE TOWNSHIP OF ASTON IN THE PARISH OF WEM", dated 1835, covers the area but demonstrates no evidence for case SH/146/004.

7. Tithe Map, TNA IR 30/29/256/PT1, entitled "Township of Prees", dated 1838-1843, covers the area but demonstrates no evidence for case SH/146/004.

8. Ordnance Survey 25" 1st Edition, BL Vol 687 (44), entitled "Shropshire Sheet (Northern Division) Sheet XV.9 - Prees, Wem, & Weston and Wixhill under Redcastle Parishes", dated 1880, demonstrates evidence for all of route T000770. Length A – B – E is observed to commence at a junction with another route at the north west corner of parcel "2769" on the map (Shown on map 30SJ5630). The route is depicted as consisting of two solid parallel black lines with two parallel dashed black lines through the middle. The route is observed to change physical characteristics at the south east corner of parcel "2782" on the map. From here the route is depicted as consisting of two parallel solid black lines. The route is shown specifically numbered on the map as "2729" (Shown on map 30SJ5631). The route is observed to change physical characteristics at the north east corner of parcel "2641" on the map. From here the route is depicted as consisting of two parallel solid black lines with a single black dashed line through the middle. The route is observed to terminate at a junction with another route at the north west corner of parcel "2647" on the map. Length D – C – B is observed to commence at a junction with another route at the north west corner of parcel "2809" on the map (Shown on map 30SJ5630). The route is shown on the map specifically numbered as "2808" and is depicted as consisting of two parallel dashed black lines. The route is observed to change physical characteristics at the south east corner of parcel "2817" on the map. From here the route is depicted as consisting of two parallel solid black lines. The route is observed to change physical characteristics at the north east corner of parcel "2815" on the map. From here the route is depicted as consisting of two parallel dashed black lines. The route is observed to change physical characteristics at the south west corner of parcel "2798" on the map. From here the route is depicted as consisting of two parallel black lines (solid and dashed). The route is observed to change physical characteristics at the north east corner of parcel "2787" on the map. From here the route is depicted as consisting of two parallel solid black lines and is specifically numbered as "2792". Length D – C – B is observed to terminate at a junction with another route at the north west corner of parcel "2787" on the map.



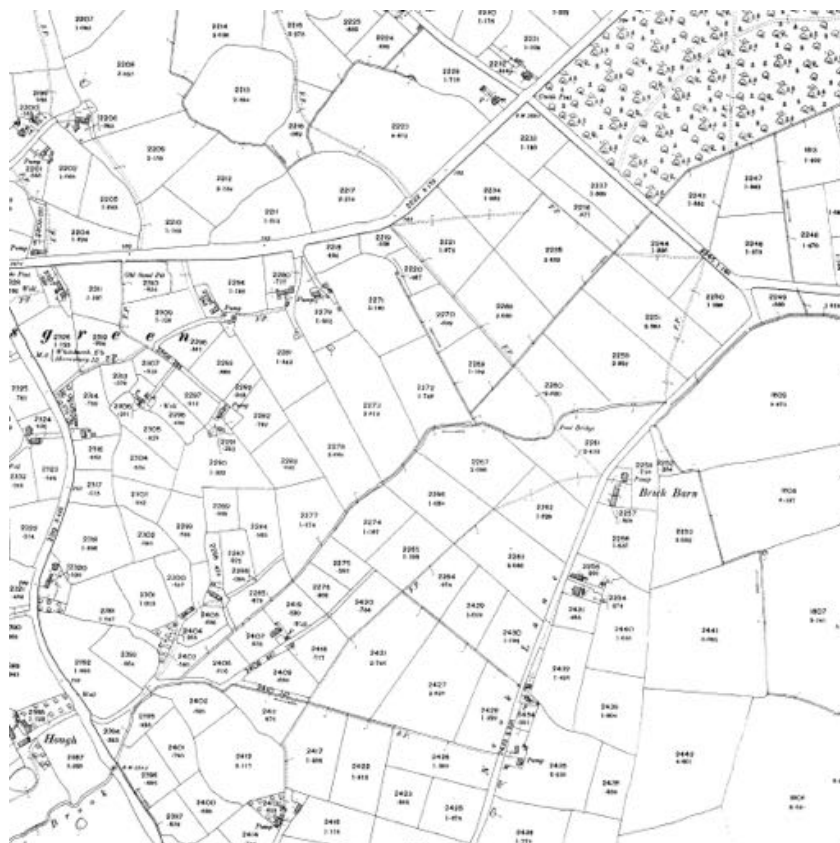
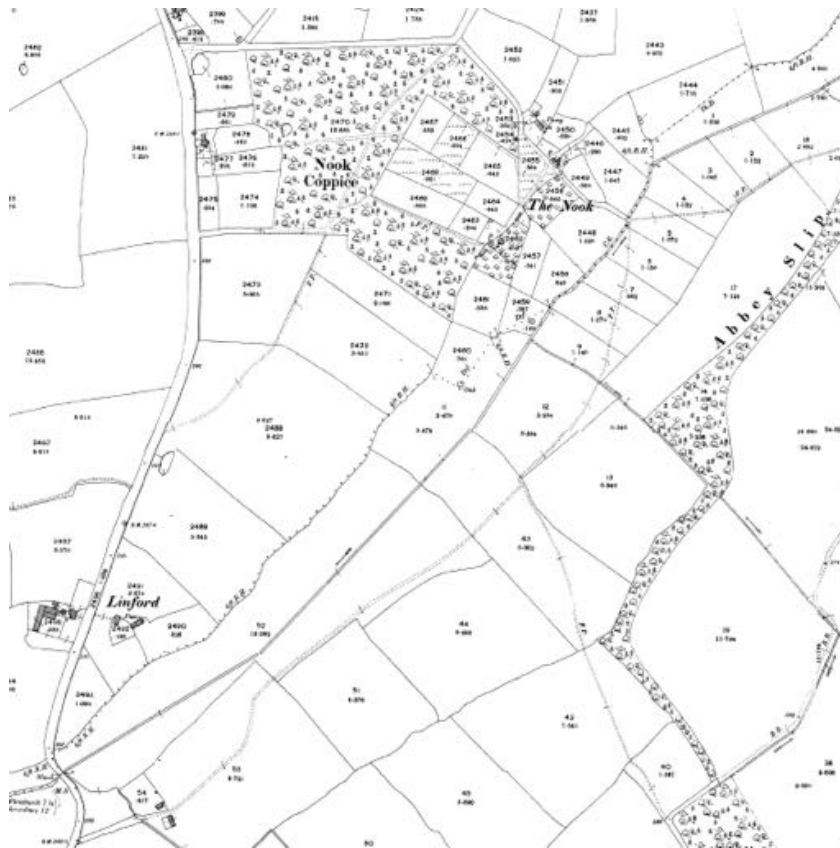
9. Ordnance Survey 25" 1st Edition Book of Reference, BL None, entitled "Book of Reference to the Plan of the Parish of Prees in Shropshire", dated 1880, covers the area but demonstrates no evidence for case SH/146/004.

10. Ordnance Survey 25" 1st Edition Book of Reference, SHR None, entitled "Book of Reference to the Plan of the Parish of Prees in Shropshire", dated 1880, covers the area but demonstrates no evidence for case SH/146/004.

11. Ordnance Survey 25" 1st Edition Book of Reference, BL None, entitled "Book of Reference to the Plan of the Parish of Weston and Wixhill under Redcastle, Shropshire (Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/146/004.

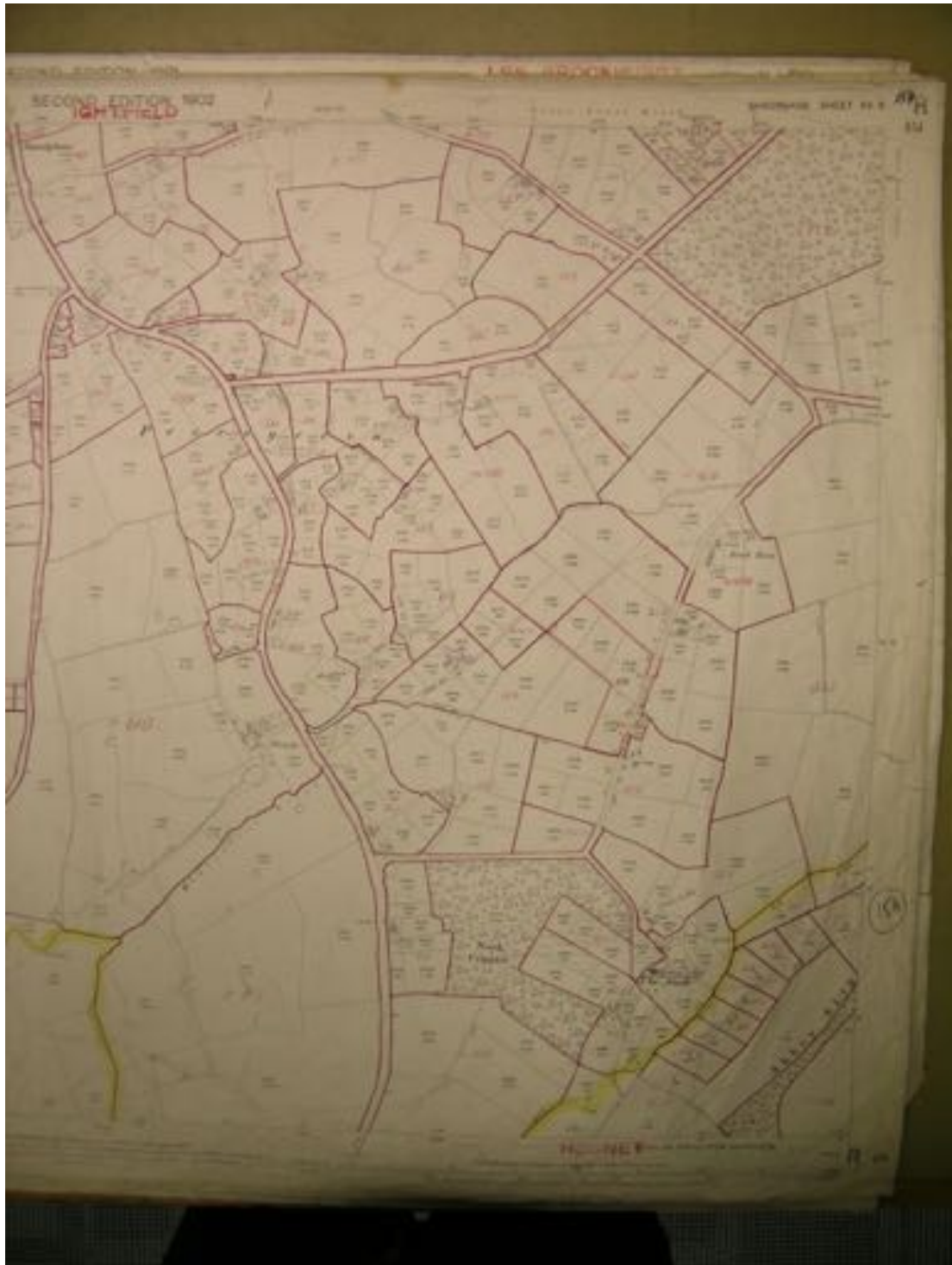
11. Ordnance Survey 25" 2nd Edition, BL 1599 (41), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XV. 9", dated 1900, demonstrates evidence for part of route T000770. Length A – B – E is observed to commence at the south west corner of parcel "2398" (Shown on map 30SJ5630) on the map. The route is shown on the map un-named and is depicted as consisting of two parallel solid black lines. Length A – B – E is observed to terminate at a junction with another route at the north west corner of parcel "2249" (Shown on map 30SJ5631) on the map. Length D – C – B is observed to commence at a junction with another route at the north west corner of parcel "2473" on the map. The route is shown on the map un-named and is depicted as consisting of two parallel solid black lines. The route is observed to change physical characteristics at the south east corner of parcel "2474" on the map. From here the route is depicted as consisting of two parallel dashed black lines and is annotated with "F.P." on the map. The route is observed to change physical characteristics at the south east corner of parcel "2463" on the map. From here the route is depicted as consisting of two parallel solid black lines. The route is observed to change physical characteristics at the north east corner of parcel "2464" on the map. From here the route is depicted as consisting of two parallel dashed black lines. The route is observed to change physical characteristics at the south east corner of parcel "2451" on the map. From here the route is depicted as consisting of two parallel black lines (solid and dashed). The route is observed to change physical characteristics at the north west corner of parcel "2455" on the map. From here the route is depicted as

consisting of two parallel solid black lines. Length D – C – B is observed to terminate at a junction with another route at the south west corner of parcel "2452" on the map.



12. Ordnance Survey 1" New Series, BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM", dated 1902, demonstrates evidence for part of route T000770 (A – B – E). The route is observed to commence south of the "s" of "Preesgreen" on the map. The route is shown on the map and described in the key under the heading "3rd class metalled road" and is depicted as consisting of two parallel solid black lines. The route is shown on the map but is unnamed. The route is observed to terminate north east of the "n" of "Preesgreen" on the map.

13. Finance Act Survey Map, TNA IR 132/4/142, entitled "Shropshire Sheet XV.9 - Second Edition 1902", dated 1909/1910, demonstrates evidence for all of route T000770. Length A – B – E is observed to commence at a junction with another route at the south west corner of OS parcel "2398" on the map. The route is shown uncoloured and excluded from hereditaments. Length A – B – E is observed to terminate at a junction with another route at the north west corner of OS parcel "2249" on the map. Length D – C – B is observed to commence at a junction with another route at the north west corner of OS parcel "2473" on the map. The route is shown included within hereditament(s), in this case hereditament(s) "616", "624", & "623". The route is observed to change Finance Act annotation at the south west corner of OS parcel "2455" on the map. From here the route is shown uncoloured and excluded from hereditaments. Length D – C – B is observed to terminate at a junction with another route at the south west corner of OS parcel "2452" 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
Turnpike Records	B(ii) part	SHR Plan DP/272 - Plan of the Proposed Road	1810	6.2	TP14	Route shown un-numbered on Plan
					TP8	Annotated as 'to' or 'from' or named i.e. High Street
					TP12	LOD not shown on plan
Non-OS Commercial Mapping	B(ii) part	SHR Map GREENWOODS 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1826 & 1827 BY C. & J. GREENWOOD, Most Respectfully Dedicated To The NOBILITY,	1827	6.3	NOS16	Shown on map and depicted or described as driving road or crossroads in key

		CLERGY & GENTRY OF Shropshire, By THE PROPRIETORS GREENWOOD, PRINGLE & Co. Regent Street. Pall Mall....				
Ordnance Survey Records Surveyors Drawings	C	SHR 326 - PARTS OF Shropshire Cheshire and Flintshire	1829	6.4	OSD1	Route shown un-coloured on Ordnance Surveyors Drawing Route shown un-coloured on Ordnance Surveyors Drawing
Ordnance Survey Records 1" Old Series	C	SHR Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	6.5	OSM5	Route shown on OS 1" Old Series map
Ordnance Survey Records 25" 1st Edition	C	BL Vol 687 (44) - Shropshire Sheet (Northern Division) Sheet XV.9 - Prees, Wem, & Weston and Wixhill under Redcastle Parishes	1880	6.8	OSM23	Route specifically numbered on plan
					OSM6	Route Shown on OS 1st Edition 25" Map
					OSM23	Route specifically numbered on plan
Ordnance Survey Records 25" 2nd Edition	C	BL 1599 (41) - SECOND EDITION 1902 SHROPSHIRE SHEET XV. 9.	1900	6.11	OSM12	Route Shown on OS 2nd Edition 25" Map
Ordnance Survey Records 1" New Series	B(ii) part	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	6.12	OSM26	Route described as '3rd class metalled road' on key or Characteristics Sheet
					OSM20	Route unnamed on map
Finance Act Survey Records	B(i) part	TNA Map IR 132/4/142 - Shropshire Sheet XV.9 - Second Edition 1902	1909/1910	6.13	FA1	Route excluded from Hdtmt
					FA2	Route included in Hdtmt

Evidence of class:

This evidence refers to 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
Turnpike Records	SHR Plan DP/272 - Plan of the Proposed Road	1810	RC14	Unspecified
Non-OS Commercial Mapping	SHR Map GREENWOODS 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1826 & 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...	1827	RC12	Road
Ordnance Survey Records Surveyors Drawings	SHR 326 - PARTS OF Shropshire Cheshire and Flintshire	1829	RC14	Unspecified
Ordnance Survey Records 1" Old Series	SHR Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	RC14	Unspecified
Ordnance Survey Records 25" 1st Edition	BL Vol 687 (44) - Shropshire Sheet (Northern Division) Sheet XV.9 - Prees, Wem, & Weston and Wixhill under Redcastle Parishes	1880	RC14	Unspecified
Ordnance Survey Records 25" 2nd	BL 1599 (41) - SECOND EDITION	1900	RC14	Unspecified

Edition	1902 SHROPSHIRE SHEET XV. 9.			
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	RC12	Road
Finance Act Survey Records	TNA Map IR 132/4/142 - Shropshire Sheet XV.9 - Second Edition 1902	1909/1910	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
Turnpike Records	SHR Plan DP/272 - Plan of the Proposed Road	1810	PA3	two parallel solid black lines (in-filled)
Non-OS Commercial Mapping	SHR Map GREENWOODS 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1826 & 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....	1827	PA1	two parallel solid black lines
Ordnance Survey	SHR 326 - PARTS	1829	PA1	two parallel solid

Records Surveyors Drawings	OF Shropshire Cheshire and Flintshire			black lines
Ordnance Survey Records 1" Old Series	SHR Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	PA1	two parallel solid black lines
Ordnance Survey Records 25" 1st Edition	BL Vol 687 (44) - Shropshire Sheet (Northern Division) Sheet XV.9 - Prees, Wem, & Weston and Wixhill under Redcastle Parishes	1880	PA7	two parallel black lines (solid and dashed)
			PA1	two parallel solid black lines
Ordnance Survey Records 25" 2nd Edition	BL 1599 (41) - SECOND EDITION 1902 SHROPSHIRE SHEET XV. 9.	1900	PA1	two parallel solid black lines
			PA7	two parallel black lines (solid and dashed)
			PA13	two parallel solid black lines with dashed black lines through the middle
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	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).

No evidence of a specific legal width was found 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

Length A – B – E is shown on the Finance Act Survey map uncoloured and excluded from hereditaments. This suggests that this length 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. Length D – C – B is shown partly excluded from hereditaments with the remaining length included in hereditaments. There is no evidence in the field book for a deduction for a right of way.

2. Deposited Turnpike Records

The Deposited Turnpike Record plan demonstrates evidence for part of the route (B – E). The route is shown un-numbered but identified as a through route and is labelled on the map as "To the Nook".

3. Non-Ordnance Survey Commercial Mapping

One Non-Ordnance Survey Commercial map demonstrates evidence for part of the route (A – B – E). Greenwood's map shows the route on the map where it is described under the heading "Cross Roads". For the purposes of Discovering Lost Ways research, the identification of this part of the route as a cross road is taken as evidence of reputation of the route as a highway, but is not taken in itself to provide evidence of the class of these rights above that of a bridleway.

5. Ordnance Survey Records

a) Ordnance Survey Surveyor's Drawings

The Ordnance Survey Surveyor's Drawing demonstrates evidence for the route as a physical feature only.

b) Ordnance Survey 1" Old Series

The Ordnance Survey 1" Old Series map demonstrates evidence for the whole route as a physical feature only.

c) Ordnance Survey 25" 1st Edition

The Ordnance Survey 25" 1st Edition map demonstrates evidence for the entire route as a physical feature only. The route is shown specifically numbered on the map but there is no evidence for the route in the corresponding book of reference.

d) Ordnance Survey 25" 2nd Edition

The Ordnance Survey 25" 2nd Edition map demonstrates evidence for the entire route. The route is shown on the map un-named therefore the object name book has not been examined.

e) Ordnance Survey 1" Revised New Series Map

The Ordnance Survey 1" Revised New Series Map demonstrates evidence for part of the route (A – B – E). The route is shown on the map is described in the key under the heading "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 Ordnance Survey 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 early Ordnance Survey maps 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/146/004 was included in the research scope by the Discovering Lost Ways project at the request of Shropshire County Council as there is the suggestion that there may be evidence to support the existence of higher rights over an existing public right of way.

From the documents examined it is possible to establish that length A – B – E of the case file route is shown on the Finance Act Survey map uncoloured and excluded from hereditaments. This suggests that this length 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. One Non-Ordnance Survey Commercial map shows this length of the route described under the heading "Cross

Roads". For the purposes of the Discovering Lost Ways research, the identification of this part of the route as a cross road is taken as evidence of reputation of the route as a highway, but is not taken in itself to provide evidence of the class of these rights above that of a bridleway. The Deposited Turnpike Record identifies part of length B - E as a through route and is labelled on the map as "To the Nook".

The Ordnance Survey 1" Revised New Series map demonstrates evidence for length A – B – E of the case file route. The route is shown on the map and is described in the key under the heading "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 Ordnance Survey 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. It is also shown on the supporting Ordnance Survey maps but gives no evidence of status.

Length A – B – E is currently shown on the definitive map as part bridleway and part restricted byway. The evidence for length B – E confirms the status and class of the route therefore this section has been categorised as "insufficient evidence for further action". The evidence for length A – B suggests that there is evidence of higher rights over the existing bridleway. The evidence for this length of the route meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981, and has been categorised "strong". It is recommended that a definitive map modification order application be made to record public carriageway rights on the definitive map.

Length D – C – B is shown partly uncoloured and excluded from hereditaments on the Finance Act Survey map. This suggests that part of this length 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 remaining length is shown included in hereditaments but there is no evidence in the field book for a deduction for a right of way. There is no evidence of class identified for length D – C – B therefore given that the route is shown as a current public bridleway and part of an existing restricted byway length D – C – B has been categorised as "insufficient evidence for further action".

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 3.3: Finance Act Survey Records
Discovering Lost Ways Research Standard 3.6: Turnpike Records
Discovering Lost Ways Research Standard 3.7: Ordnance Survey Records
Discovering Lost Ways Research Standard 3.8: Non-OS Commercial Mapping
Discovering Lost Ways Research Standard 4.0: Combining & Evaluating Evidence

Appendix B - Acknowledgements

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