
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 SJ4981 2747) to Point C (OSGR SJ5081 2688) 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/183/004 BHS which contains copies of the following documents or extracts thereof:**
- 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 Surveyors Drawings, SHR 320 (E), entitled "PART of SHROPSHIRE", dated 1827
- Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1mile, entitled "Folder 1 1833 - 1835", dated 1833 - 1835
- Tithe Map, TNA IR 30/29/334, entitled "Map of the Townships of Tilley and Trench in the Parish of Wem in the County of Salop", dated 1840-1844
- Railway Plan, SHR DP/337, entitled "Shrewsbury Oswestry and Chester JUNCTION RAILWAY. PLANS & SECTIONS OF THE WEM BRANCH, MONTCOMERYSHIRE BRANCH. AND DEVIATIONS", dated 1845
- Railway Section, SHR DP/337, entitled "Shrewsbury Oswestry and Chester JUNCTION RAILWAY. PLANS & SECTIONS OF THE WEM BRANCH, MONTGOMERYSHIRE BRANCH. AND DEVIATIONS", dated 1845
- Railway Book of Reference, SHR DP/337, entitled "Shrewsbury Oswestry and Chester Junction Railway. Branch to Wem. Book of Reference.", dated 1845
- Railway Plan, SHR DP/347, entitled "London & North Western Railway Plan and Sections of the Proposed Extensions Railway from Crewe to Shrewsbury", dated 1852
- Railway Book of Reference, SHR DP/347, entitled "London and North Western Railway, Proposed Extension from Crewe to Shrewsbury", dated 1852
- Railway Section, SHR DP/347, entitled "London and North Western Railway, Proposed Extension from Crewe to Shrewsbury"
- Ordnance Survey 25" 1st Editions, BL Vol. 689 (26), entitled "Shropshire (Northern Division) Sheet XXI.4 - Wem & Loppington Parishes" and Vol. 689 (30), entitled "Shropshire (Northern Division) Sheet XXI.7 - Wem, Middle, Broughton & Clive Parishes", dated 1880
- Ordnance Survey 25" 2nd Editions, BL 1601 (3), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 3.", 1601(7), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 7." dated 1900

- Finance Act Survey Map, TNA IR 132/4/213, entitled "SHROPSHIRE SHEET XXI.7 - SECOND EDITION 1902", dated 1909/1910
- Finance Act Survey Map, TNA IR 132/4/209, entitled "SHROPSHIRE SHEET XXI.3 - SECOND EDITION 1912", dated 1911/1912
- Finance Act Survey Valuation Book, SHR 4044/96 entitled "A Valuation Book for the parishes or places of Lee Brockhurst, Shawbury, Stanton on Hine Heath and Wem", dated 1910
- Railway Plan, SHR DP/335, entitled "Shrewsbury and Wem Railway"
- Railway Book of Reference, SHR DP/335, entitled "Shrewsbury and Wem Railway"

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

Signed:

A handwritten signature in black ink, consisting of a large, stylized initial 'A' followed by a series of connected loops and a long horizontal stroke extending to the right.

Date: 23/09/2020

Wildlife and Countryside Act 1981

Map to Accompany Definitive Map Modification Order Application

For a route at Tilley Park in the Parish of Wem Rural, Shropshire to be shown as a
Public Bridleway

Applicant's Reference: DLW SH/183/004



23 /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/183/004
Name	Un-named
Historic County	Shropshire
Sub-Unit	Shropshire Sub-unit 1
Parish(es)	Wem Rural
Surveying Authority	Shropshire County Council
Definitive Map Ref. No.	None
Other Designation(s) Ref. No.	None
Route Length	1729 metres
OS 1:10,000 Sheet(s)	SJ42NE, SJ52NW
Grid Ref (start)	SJ4981 2747
Grid Ref (end)	SJ5081 2688
ARU ASSESSMENT OUTCOME	
Status/Class	Public carriageway
Strength	Tentative
Comment	Shown uncoloured and excluded from the hereditaments on the Finance Act Map, and Described as a 3rd Class metalled road on the OS 1" New Series

Date:

02 May 2008

LandAspects
Rowan House
Lloyd Drive
Ellesmere Port
Cheshire CH65 9HQ

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1. Summary of Findings

Case SH/183/004 was included in the research scope by Discovering of Lost Ways Project as the route is a potential gap in the definitive map network between public roads C2051/50 and B5476/190 (the references given on Shropshire County Council's List of Streets).

From the documents examined it is possible to establish that the case file route is shown on the Finance Act Survey map. The route is shown included within hereditaments and has been given its own specific hereditament number. The entry in the field book for hereditament "1136" gives the occupier as "Jones R'd" and describes the property as "house & land" on page "1" with a deduction of "£15" given under the heading "Easements" on page "2". Given that the route is shown specifically numbered it is possible to establish that the deduction can be attributed to the case file route. The presence of a deduction for an easement suggests that the route may have been to be considered to be private. The Deposited Railway Records examined demonstrate evidence for the length B – C of the route. The route is shown on three separate Deposited Railway Records. On Deposited Railway Record, DP/335, the route is shown on the plan specifically numbered with the corresponding entry in the book of reference describing the route as a "private road". On Deposited Railway Record, DP/337, the route is shown on the plan specifically numbered with the corresponding entry in the book of reference describing the route as an "occupation road". The route is further described in the section as a "public road to be raised 8 feet 6 ins". On Deposited Railway Record, DP/347, the route is shown on the plan specifically numbered with the corresponding entry in the book of reference describing the route as an "occupation road". The route is further described in the section as an "occupation road".

The route is also shown as a physical feature on the supporting Ordnance Survey Records. There are annotated limitations, in this case gates or stiles shown at point A / B & C of the case file route on the 25" 1st & 2nd Edition maps.

The Ordnance Survey 1" Revised New Series map demonstrates evidence for the 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 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 considered therefore that a public vehicular right of way existed over the route at the time of the survey.

The evidence derived from the three Deposited Railway Records is contradictory. The route is described as an “occupation road” in the book of reference for DP/337 but is then described as a “public road...” in the associated section. Furthermore, the book of reference for DP/335 describes the route as a “private road” while DP/335 describes the route as an “occupation road” on the section and in the book of reference. The presence of a deduction for an easement suggests that the route may have been to be considered to be private.

Although the evidence for part of the length of the route 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, the case as a whole has been categorised as “tentative”. Owing to the contradictory evidence from the Deposited Railway Records and Finance Act Survey Records it is considered that further evidence for the whole route would be needed before a definitive map modification order application could be made to add the route to the definitive map.

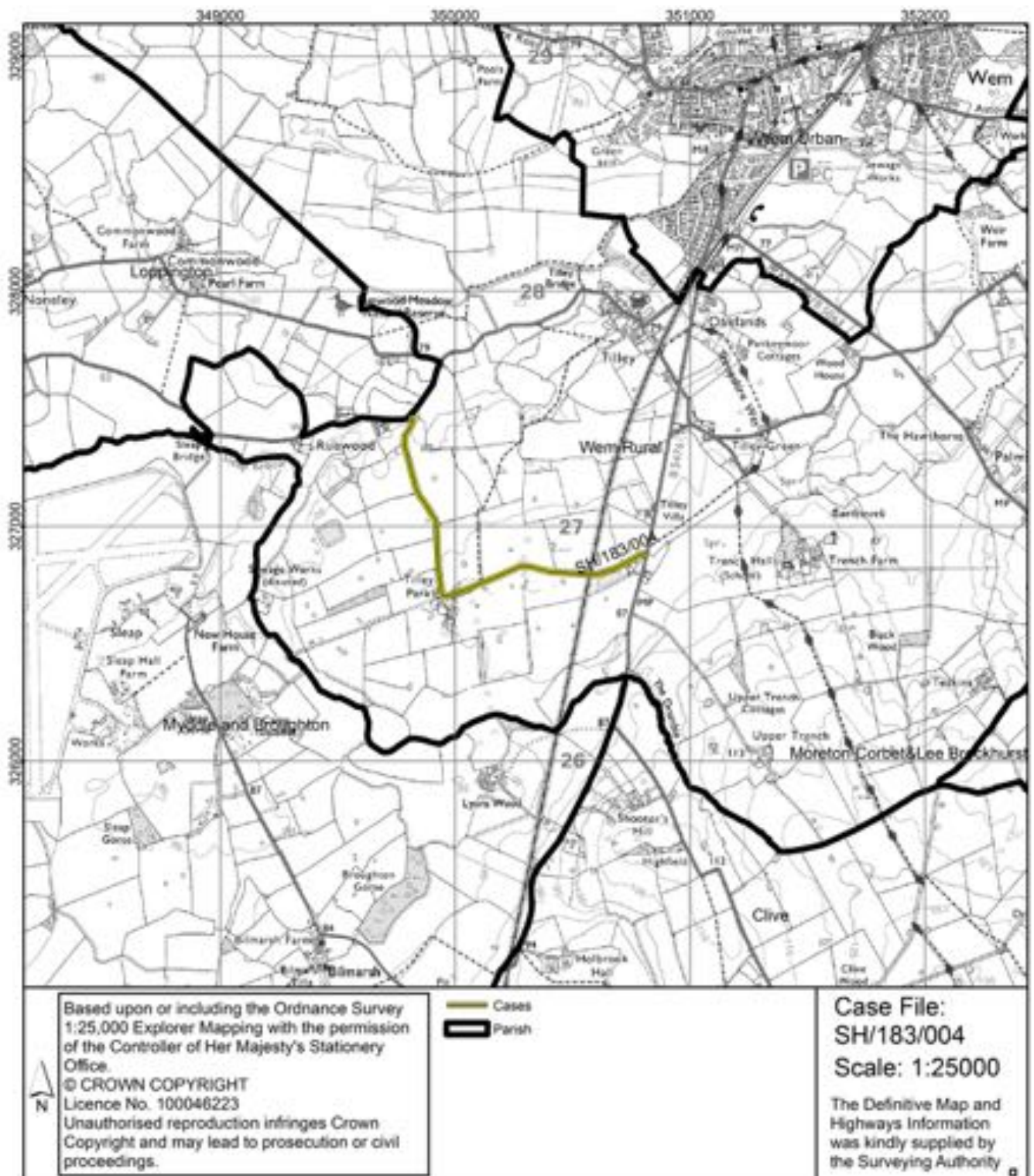
2. Description of Route

The route begins at junction of C2051/50 (the reference given on Shropshire County Council's List of Streets) at coordinate SJ4981 2747 (point A on the Case File Route Map). The route then heads in a southerly direction at coordinate SJ4995 2671 (point B on the Case File Route Map) where it changes to an easterly direction to the junction with B5476/190 (the reference given on Shropshire County Council's List of Streets). The route terminates at coordinate SJ5081 2688 (point C on the Case File Route Map).

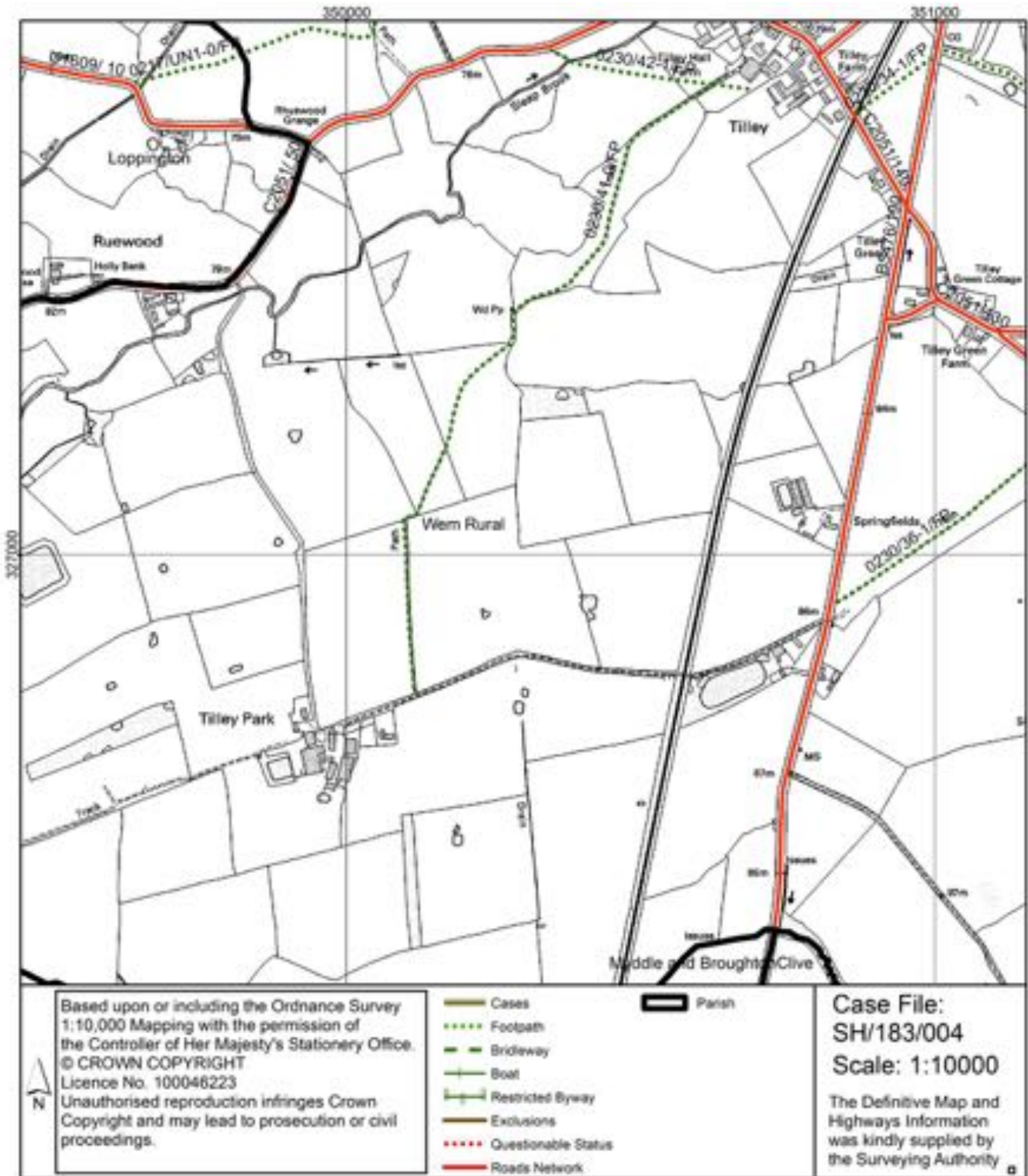
The route has a length of 1729 metres.

During the research process, the whole of the case file reference number SH/183/004 was identified with the research case route number T000684. 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).

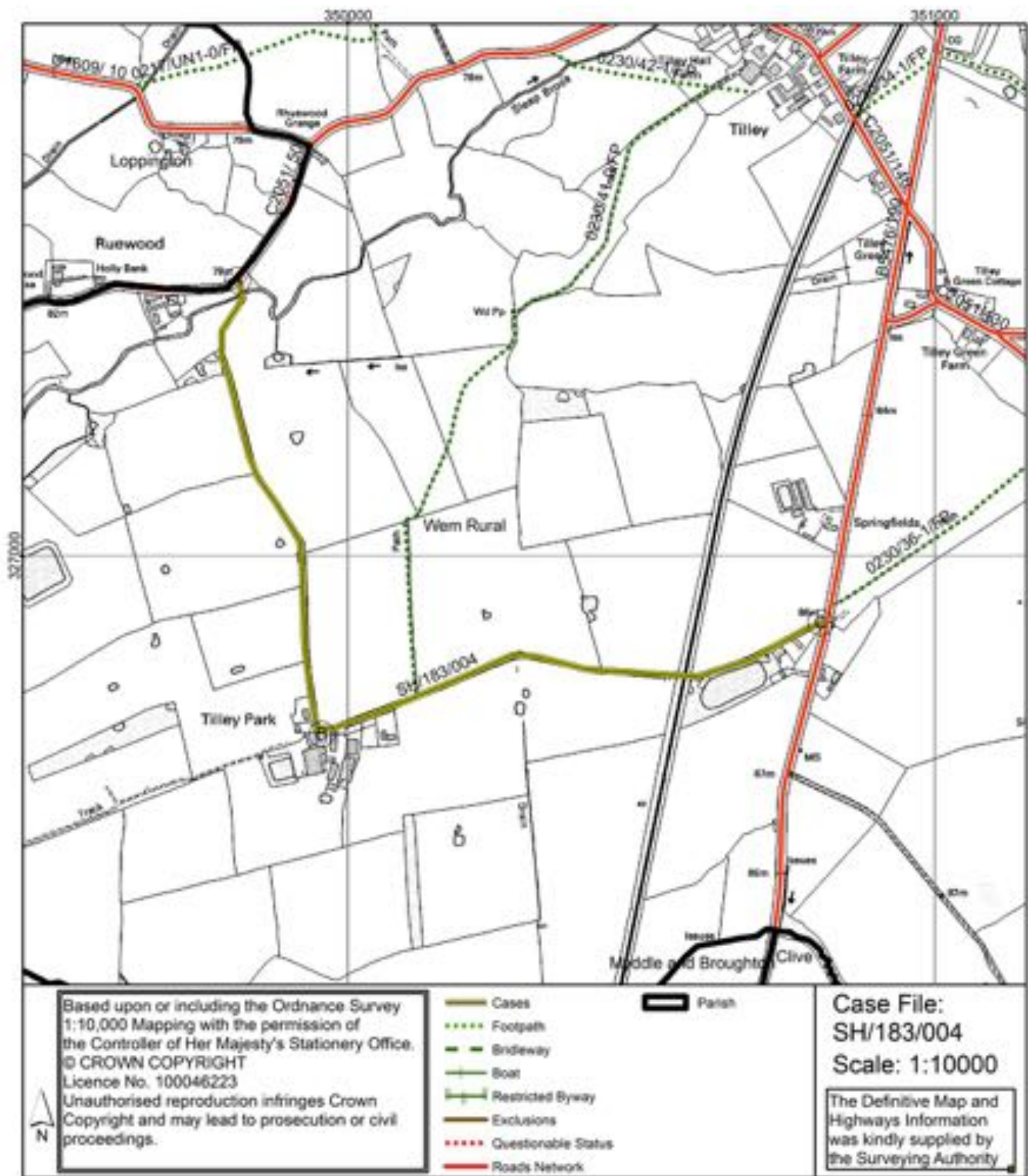
3. Location Plan



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/183/004 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.

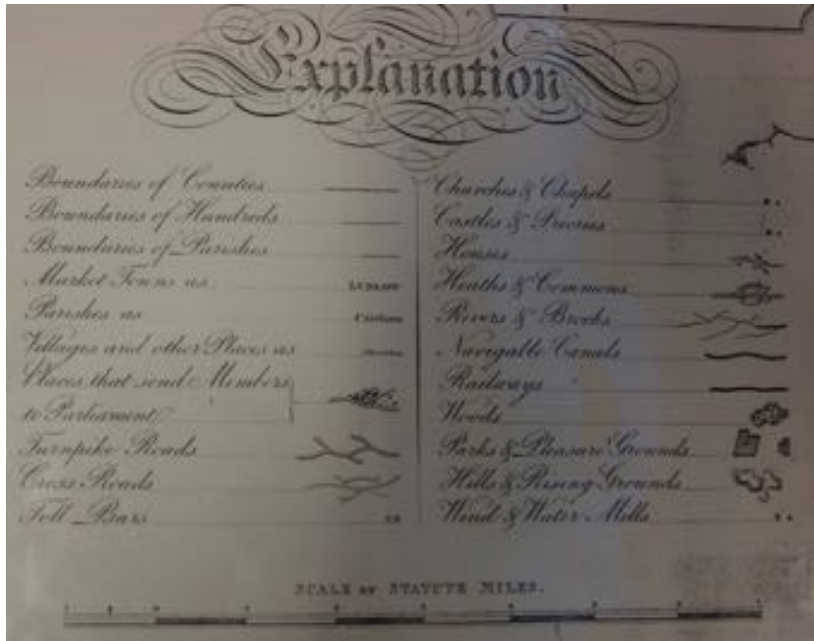
The Ordnance Survey 25" 1st and 2nd Edition image tiles (© And database right "Crown copyright and Landmark Information Group Ltd" all rights reserved 2007) included within each case file may not, on occasions, exactly reflect the original versions that have been used for research purposes. The original 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/183/004.

2. 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 all of route T000684. The route is observed to commence to the west of the letter "R" of the label "Ruewood" on the map (shown on sheet 1_2). The route is shown on the map and described under the heading "Cross Roads" in the map key. The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a junction with another route to the north west of the letter "H" of the "Higher Trench Fm" on the map (shown on sheet 3-2).

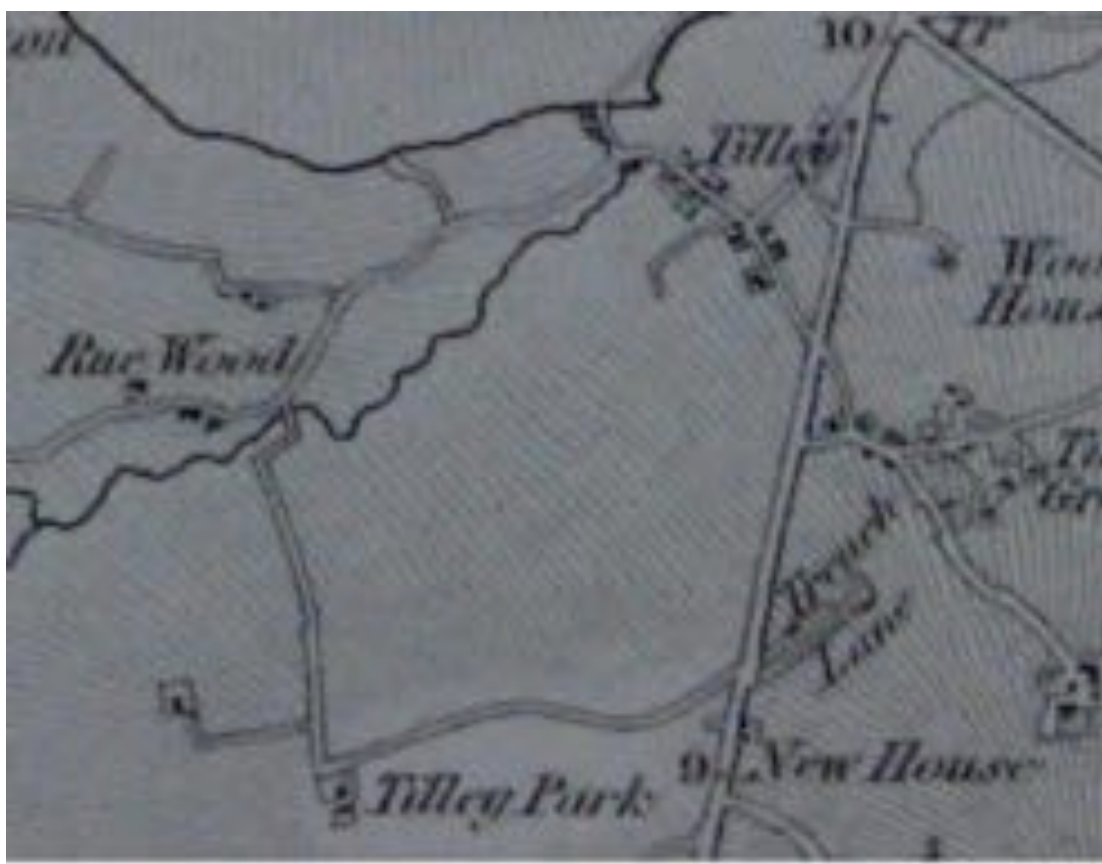




3. Ordnance Survey Surveyors Drawings, SHR 320 (E), entitled "PART of SHROPSHIRE", dated 1827, demonstrates evidence for all of route T000684. The route is observed to commence south west of "Wem" on the map. The route is shown uncoloured on the Ordnance Surveyor's Drawings and is depicted as consisting of two parallel solid black lines. The route is shown unnamed on the Ordnance Surveyor's Drawing. The route is observed to terminate south east of the commencement point on the map.



4. 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 T000684. The route is observed to commence at a junction with another route to the south of the "d" of "Rue Wood" 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 junction with another route to the north west of the letter "N" of the label "New House" on the map.

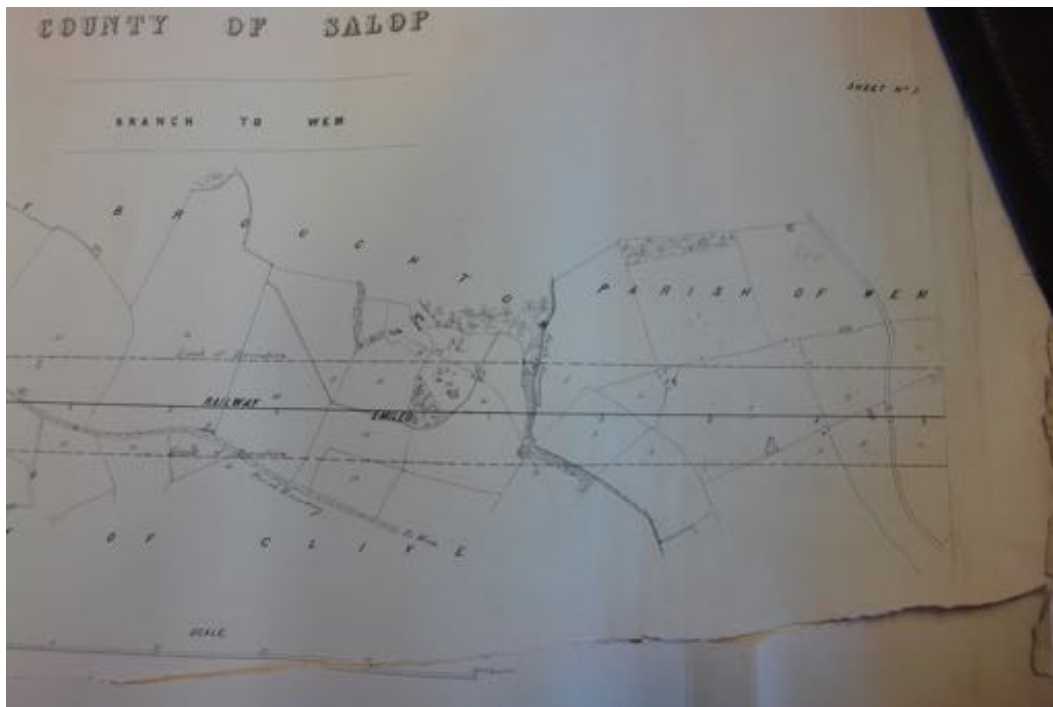


5. Tithe Map, TNA IR 30/29/334, entitled "Map of the Townships of Tilley and Trench in the Parish of Wem in the County of Salop", dated 1840-1844, demonstrates evidence for all of route T000684. The route is observed to commence at a gated junction with another route at the north east corner of parcel "804" on the map. The route is shown but is un-numbered and not within a numbered parcel and is depicted as consisting of two parallel solid black lines (in-filled). At point B the route is shown with an annotated limitation, in this case a gate or stile at the south west corner of parcel "1002" on the map. The route is shown with another annotated limitation, in this case

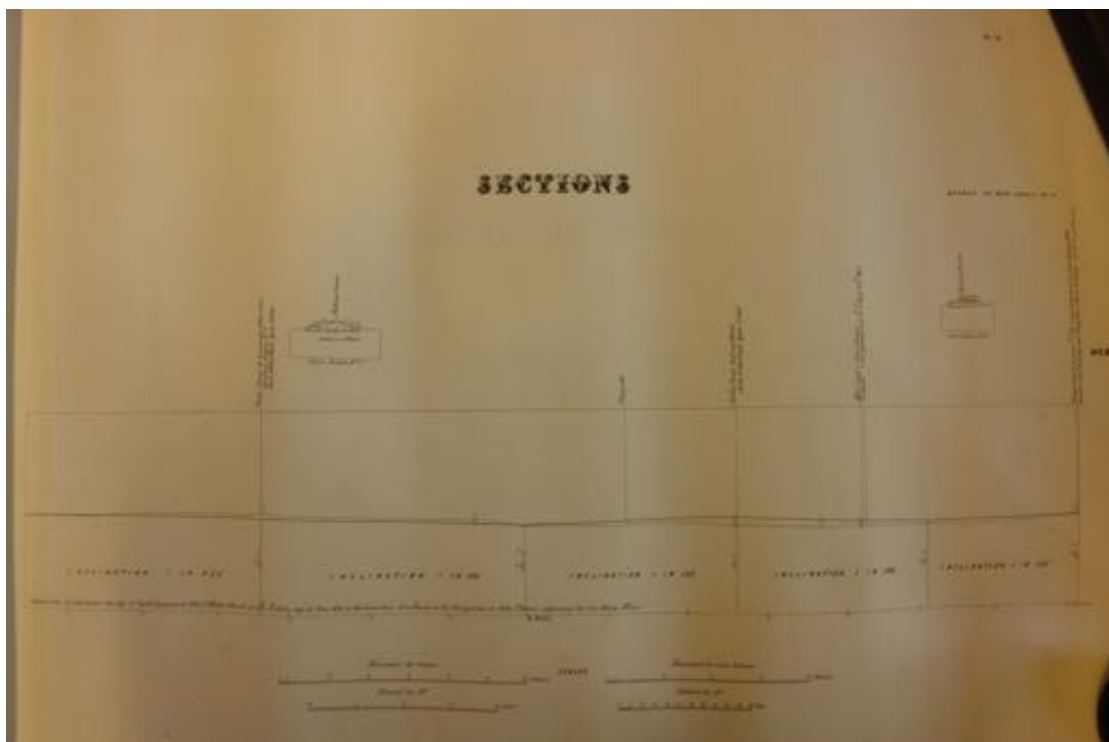
a gate or stile at the north west corner of parcel "1027". The route is observed to terminate at the south east corner of parcel "994" on the map.



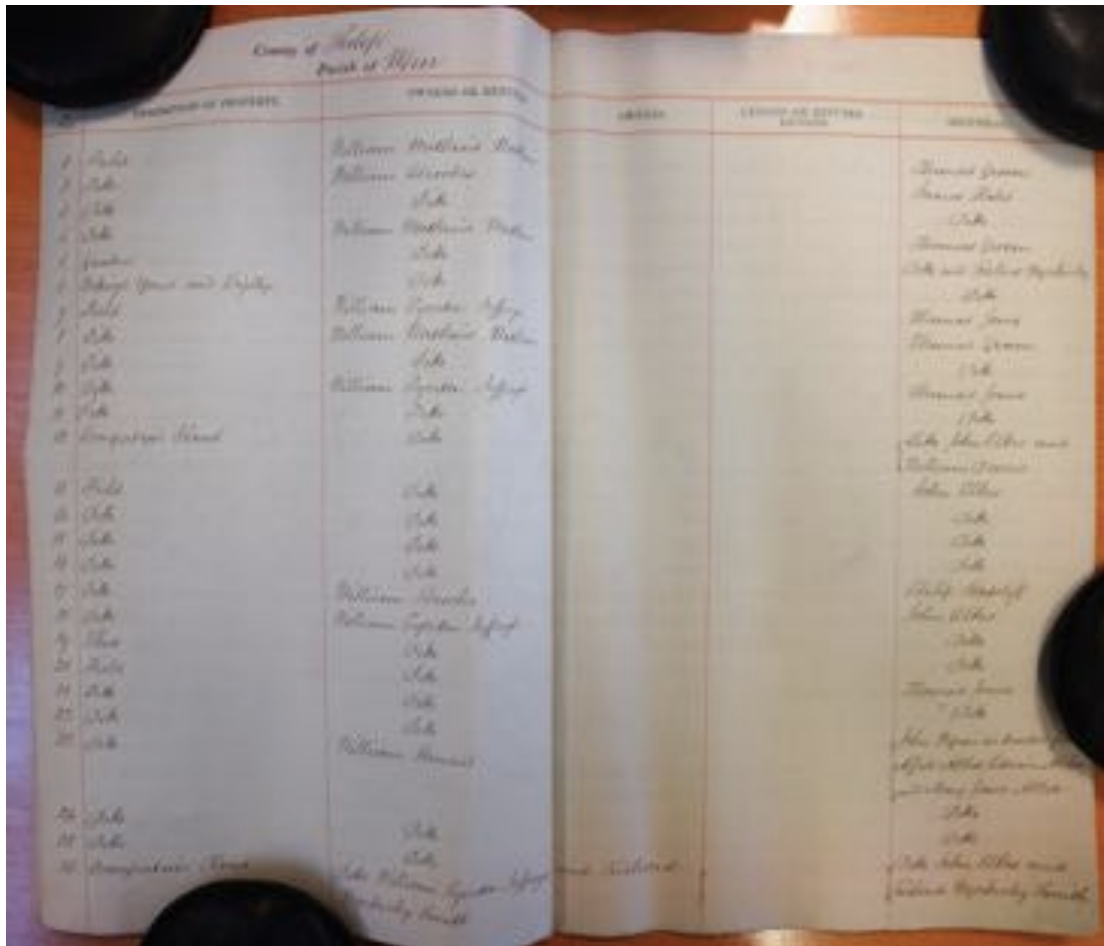
6. Railway Plan, SHR DP/337, entitled "Shrewsbury Oswestry and Chester JUNCTION RAILWAY. PLANS & SECTIONS OF THE WEM BRANCH, MONTCOMERYSHIRE BRANCH. AND DEVIATIONS", dated 1845, demonstrates evidence for part of route T000684 (B – C). The route (B – C) is observed to commence at the north west corner of an un-numbered parcel north of parcel "7" on the plan. The route is specifically numbered on the plan in this case "12" and is depicted as consisting of two parallel solid black lines. The plan shows the route within the Limits of Deviation. The route is observed to terminate at the north east corner of parcel "11" on the plan.



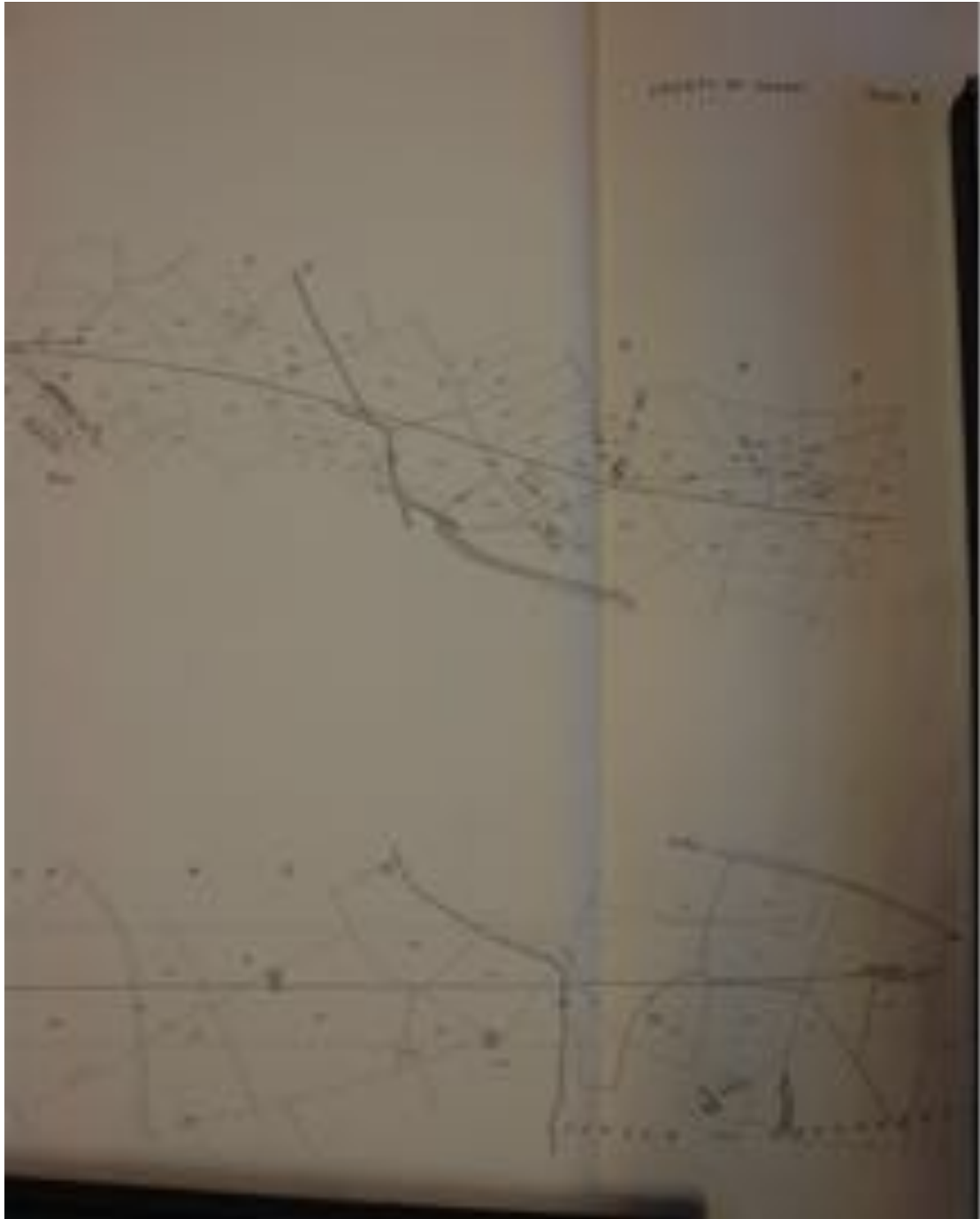
7. Railway Section, SHR DP/337, entitled "Shrewsbury Oswestry and Chester JUNCTION RAILWAY. PLANS & SECTIONS OF THE WEM BRANCH, MONTGOMERYSHIRE BRANCH. AND DEVIATIONS", dated 1845, demonstrates evidence for part of route T00684 (B – C). The route is shown with the status quoted as 'public' in this case a "Public Road to be raised 8 feet 6 ins". See Cross Section No 7 Arch 16 feet high, span 28 feet".



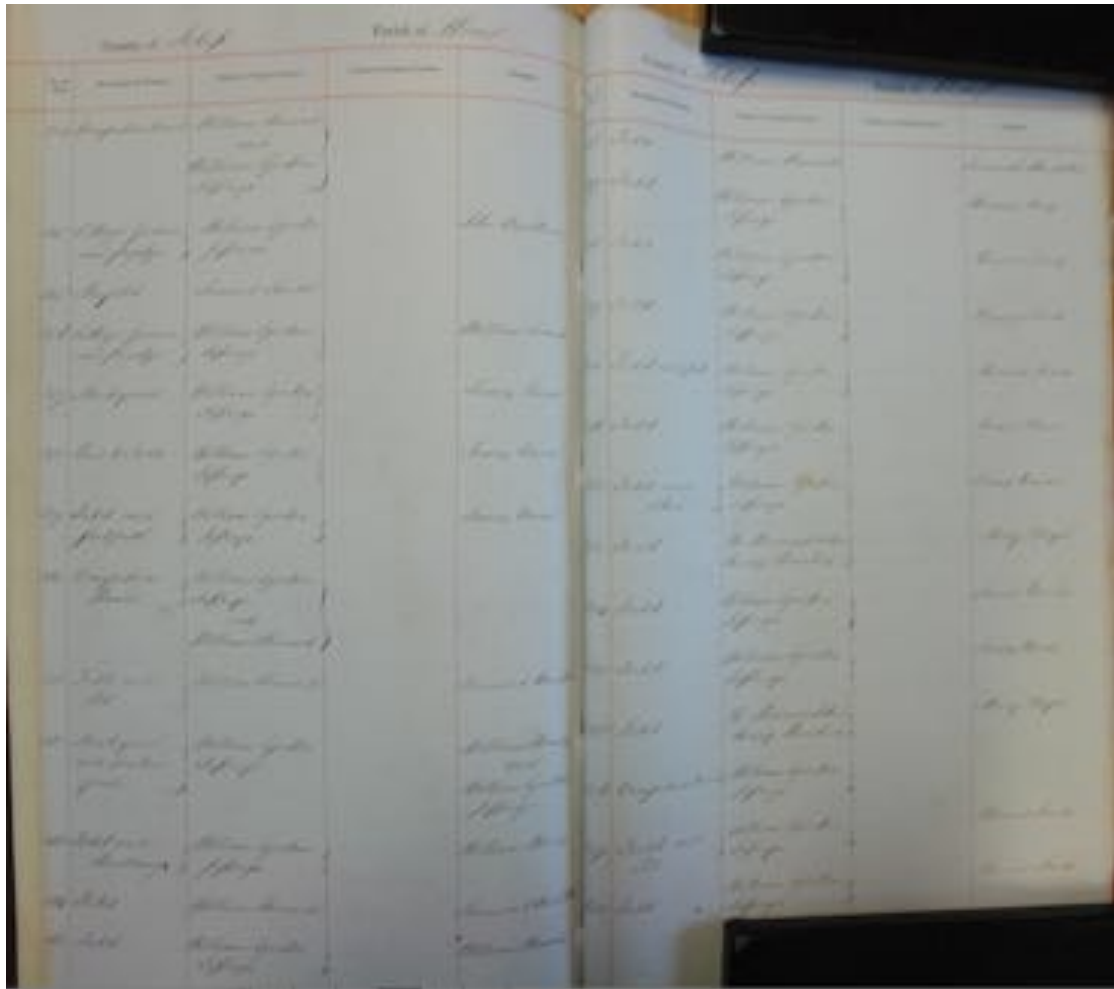
8. Railway Book of Reference, SHR DP/337, entitled "Shrewsbury Oswestry and Chester Junction Railway. Branch to Wem. Book of Reference.", dated 1845, demonstrates evidence for part of route T000684 (B – C). The route is described in a manner which fails to confer any indication of status, i.e. as "Occupation Road" on page "14", in parcel number "12".



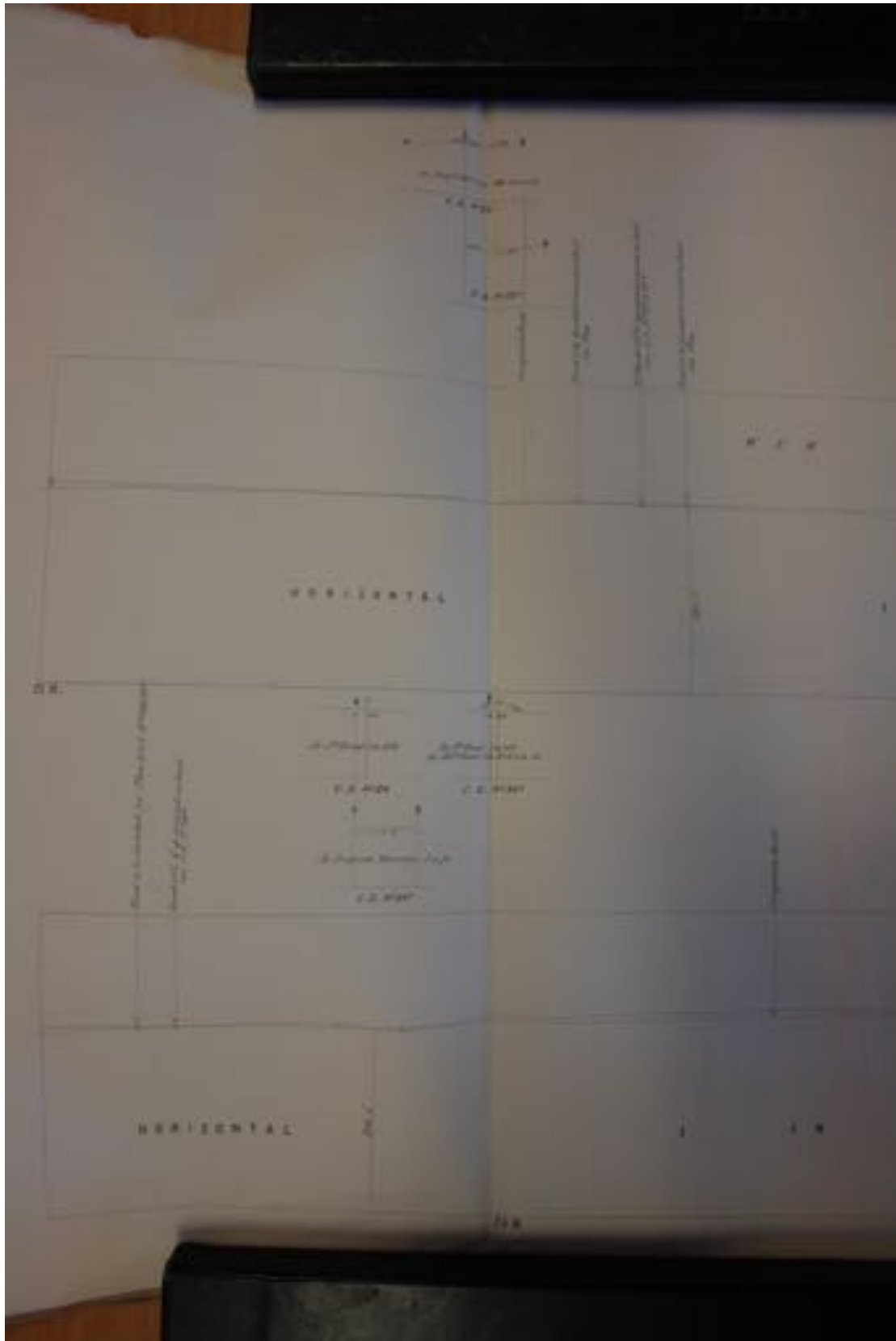
9. Railway Plan, SHR DP/347, entitled "London & North Western Railway Plan and Sections of the Proposed Extensions Railway from Crewe to Shrewsbury", dated 1852, demonstrates evidence for part of route T000684 (B – C). The route is observed to commence at the north west corner of an un-numbered parcel to the west of parcel "225" on the plan. The route is specifically numbered on the plan in this case "226" and is depicted as consisting of two parallel solid black lines. The route is shown within the Limits of Deviation. The route is observed to terminate at the south east corner of parcel "228" on the plan.



10. Railway Book of Reference, SHR DP/347, entitled "London and North Western Railway, Proposed Extension from Crewe to Shrewsbury", dated 1852, demonstrates evidence for part of route T000684 (B – C). The route is described in a manner which fails to confer any indication of status, i.e. as "Occupation Road" on page "115", in parcel number "226".



11. Railway Section, SHR DP/347, entitled "London and North Western Railway, Proposed Extension from Crewe to Shrewsbury", demonstrates evidence for all of route T00684. The route is described in a manner which fails to confer any indication of status, in this as an "Occupation Road".



12. Ordnance Survey 25" 1st Editions, BL Vol. 689 (26), entitled "Shropshire (Northern Division) Sheet XXI.4 - Wem & Loppington Parishes" and Vol. 689

(30), entitled "Shropshire (Northern Division) Sheet XXI.7 - Wem, Middle, Broughton & Clive Parishes", dated 1880, demonstrates evidence for all of route T000684. The route is observed to commence at a gated junction with another route at the north west corner of parcel "3042" on the map. The route is shown on the map and 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 "3042" on the map. From here the route is specifically numbered on the map as "3463" and is depicted as consisting of two parallel solid black lines. The route is shown with an annotated limitation, in this case a gate or stile at the south west corner of parcel "3525" (B) on the map. From this point the route is observed to change parcel number and is now specifically numbered on the map as "3532". The route is labelled "MP" where the route crosses the railway line on the map. The route is observed to terminate at a gated junction with another route at the south east corner of parcel "3541" on the map.



13. Ordnance Survey 25" 1st Edition Book of Reference, BL None, entitled "Book of Reference to the Plan of the parish of Wem, Shropshire-(Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/183/004.

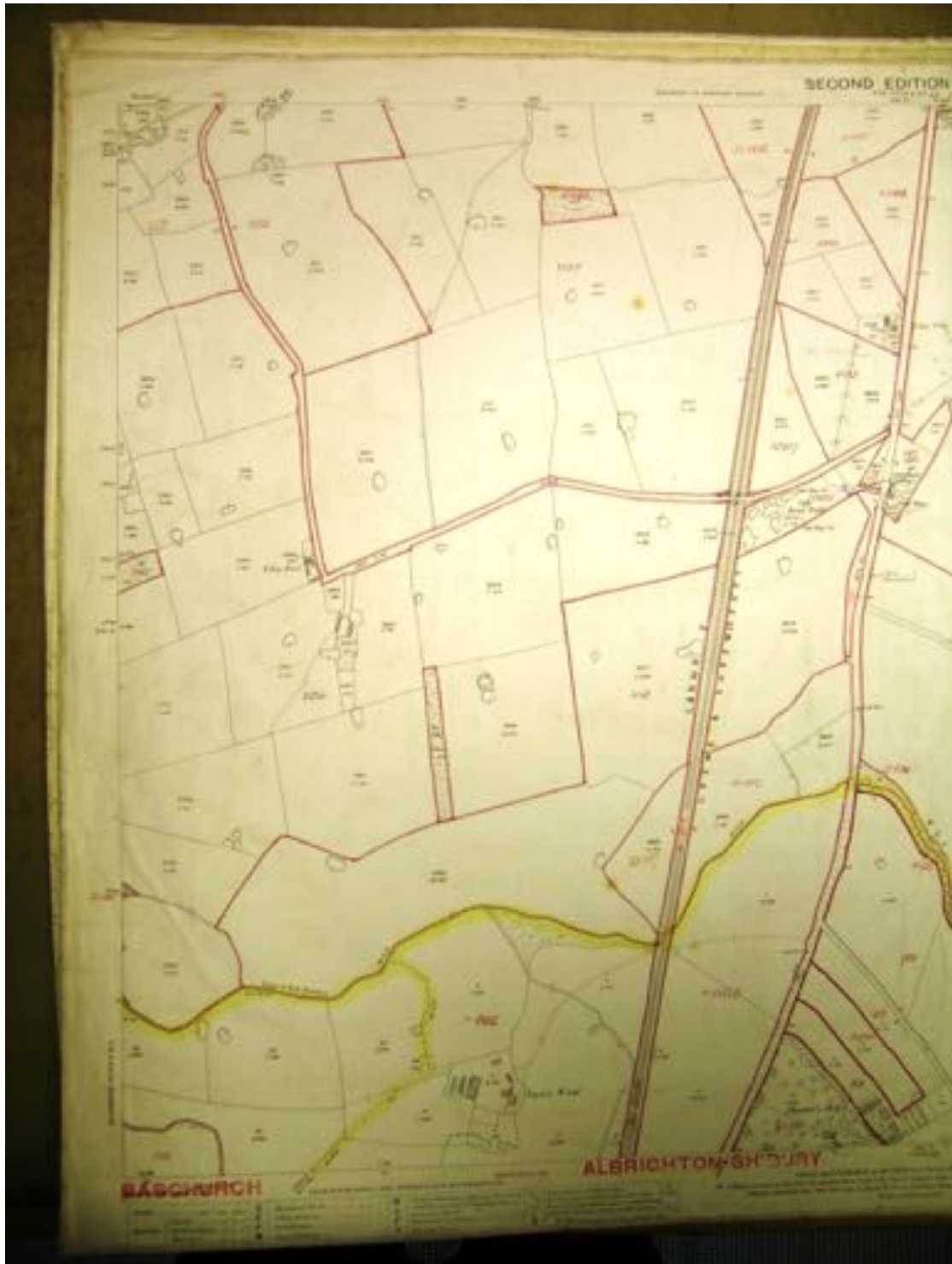
14. Ordnance Survey 25" 2nd Editions, BL 1601 (3), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 3.", 1601(7), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 7." dated 1900, demonstrates evidence all of route T000684. The route is observed to commence at a gated junction with another

route on the map at the westernmost point of parcel "2694" on the map. The route shown un-named is depicted as consisting of two parallel dashed black lines. The route is observed to change physical characteristics at the north west corner of parcel "2695" on the map. From here the route is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a gated junction with another route at the south east corner of parcel "2830" on the map.



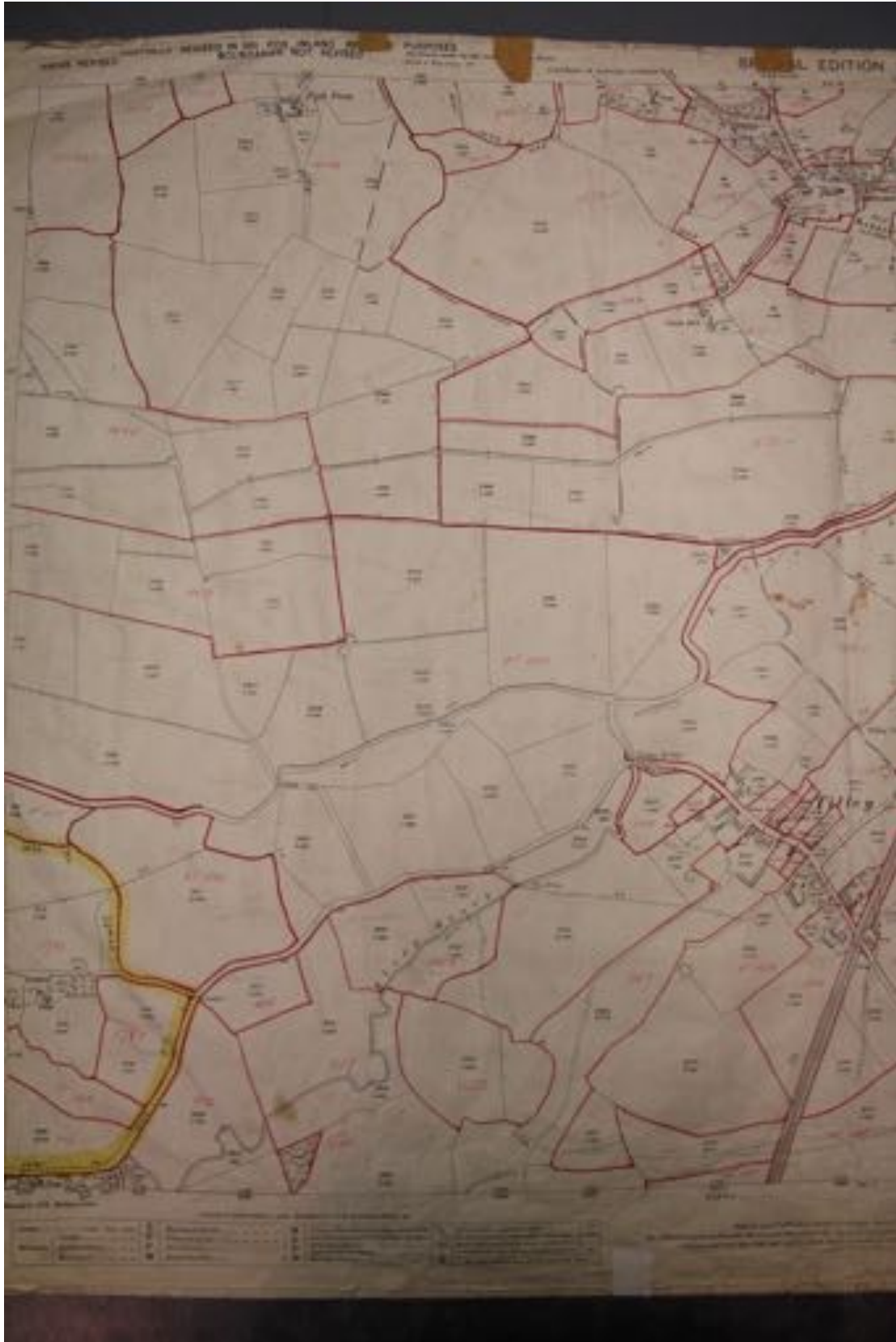
15. Ordnance Survey 1" New Series, BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM", dated 1902, demonstrates evidence for all of route T000684. The route is observed to commence at the "a" of "Leap" on the map. The route is shown on the map and is described in the key under the heading as "3rd class metalled road" and is depicted as consisting of two parallel solid black lines. The route is observed to terminate west of "Hall Trench Fm" on the map.

16. Finance Act Survey Map, TNA IR 132/4/213, entitled "SHROPSHIRE SHEET XXI.7 - SECOND EDITION 1902", dated 1909/1910, demonstrates evidence for part of route T000684. The route is observed to commence at the north west corner of OS parcel "2695" on the map where it continues on from map sheet XXI.3. The route is shown included in the hereditament(s) in this case hereditament number "1136". The route is observed to terminate at the south east corner of OS parcel "2830" on the map.



17. Finance Act Survey Map, TNA IR 132/4/209, entitled "SHROPSHIRE SHEET XXI.3 - SECOND EDITION 1912", dated 1911/1912, demonstrates evidence for part of route T000684. The route is observed to commence at the western-most point of OS parcel "2694" on the map. The route is shown included in the hereditament(s) in this case hereditament number "1136". The route is

observed to terminate towards the north west corner of OS parcel "2695" on the map where it continues onto map sheet XXI.7.



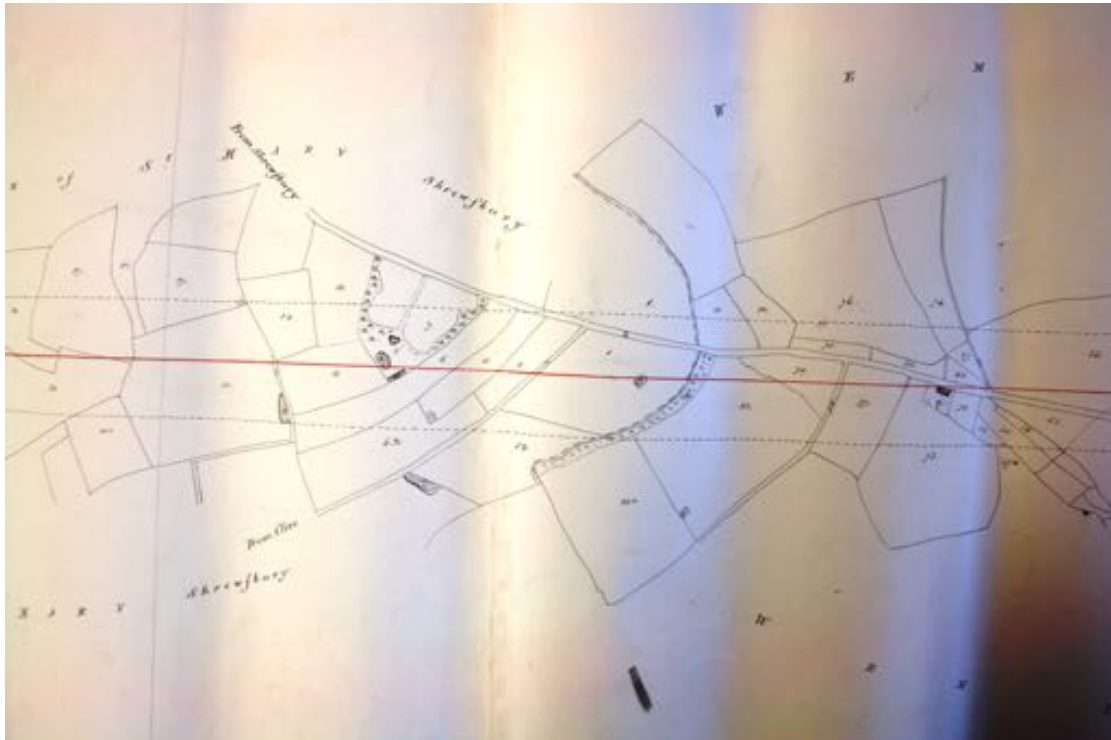
18. Finance Act Survey Valuation Book, SHR 4044/96 entitled "A Valuation Book for the parishes or places of Lee Brockhurst, Shawbury, Stanton on Hine Heath and Wem", dated 1910, demonstrates evidence for T000684. The entry in the field book for hereditament "1136" describes the route as "Jones R'd" on page "1" with a deduction of "£15" given under the heading "Easements" on page "2". Given that the route is shown specifically numbered it is possible to establish that the deduction can be attributed to the case file route.

Parish of WEM RURAL

No.	Name	Tenure	Description	Area	Rateable Value			Total	Class	Notes
					Rateable	Unimproved	Improved			
1125	87	Matthew J. of	Wynaston Hall	house	1	28	22	10		
			land		441	74	52	46	115	
1127	92	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1128	93	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1129	94	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1130	95	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1131	96	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1132	97	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1133	98	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1134	99	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1135	100	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1136	101	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		

No.	Name	Tenure	Description	Area	Rateable Value			Total	Class	Notes
					Rateable	Unimproved	Improved			
1137	102	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1138	103	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1139	104	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1140	105	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1141	106	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1142	107	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1143	108	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1144	109	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		
1145	110	George W. of	Wynaston Hall	house	1	10	4	12		
			land		10	10	4	12		

19. Railway Plan, SHR DP/335, entitled "Shrewsbury and Wem Railway", demonstrates evidence for part of route T000684 (B – C). The route is observed to commence at the north west corner of parcel "74" on the plan. The route is shown specifically numbered on the plan in this case "66" and is depicted as consisting of two parallel solid black lines. The plan shows the route within the Limits of Deviation. The route is observed to terminate at the north east corner of parcel "67" on the plan.



20. Railway Book of Reference, SHR DP/335, entitled "Shrewsbury and Wem Railway", demonstrates evidence for all of route T000684 (B – C). The route is described as 'private' in this case a "Private Road" in parcel number "66" on page number "3".

County of Salop		Parish of ...		County of Salop		Parish of ...	
13	22
14	23
15	24
16	25
17	26
18	27
19	28
20	29
21	30
22	31
23	32
24	33
25	34
26	35
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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
Non-OS Commercial Mapping	B(ii)	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	1827	6.2	NOS15	Shown on map as Driving Road or Crossroad

		Mall....				
Ordnance Survey Records Surveyors Drawings	C	SHR 320 (E) - PART of SHROPSHIRE	1827	6.3	OSD1	Route shown un-coloured on Ordnance Surveyors Drawing Route shown un-coloured on Ordnance Surveyors Drawing
					OSD4	Route un-named on Ordnance Surveyor's Drawing
Ordnance Survey Records 1" Old Series	C	SHR Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	6.4	OSM5	Route shown on OS 1" Old Series map
Tithe Survey Records	C	SHR Map IR/30/29/334 - Map of the Townships of Tilley and Trench in the Parish of Wem in the County of Salop	1840-1844	6.5	TM3	Route shown on map not numbered specifically or within numbered parcel
					TM8	Annotated limitations (gates, stiles)
Deposited Railway Records	B(i)	SHR Plan DP/337 - Shrewsbury Oswestry and Chester JUNCTION RAILWAY. PLANS & SECTIONS OF THE WEM BRANCH, MONTGOME RYSHIRE BRANCH. AND DEVIATIONS	1845	6.6	RP1	Route specifically numbered on plan
					RP3	Route within LOD
					RS1	Status quoted as public
		SHR Section DP/337 - Shrewsbury Oswestry and Chester JUNCTION RAILWAY. PLANS & SECTIONS OF THE WEM BRANCH, MONTGOME RYSHIRE BRANCH. AND DEVIATIONS	1845	6.7		
		SHR Book Of Reference DP/337 - Shrewsbury Oswestry and Chester Junction Railway.	1845	6.8	RB1	Described as non-status specific i.e. 'occupation road', 'footpath' etc

		Branch to Wem. Book of Reference.				
Deposited Railway Records	C	SHR Plan DP/347 - London & North Western Railway Plan and Sections of the Proposed Extensions Railway from Crewe to Shrewsbury	1852	6.9	RP1	Route specifically numbered on plan
					RP3	Route within LOD
		SHR Book Of Reference DP/347 - London and North Western Railway, Proposed Extension from Crewe to Shrewsbury	1852	6.10	RB1	Described as non-status specific i.e. 'occupation road', 'footpath' etc
		SHR Section DP/347 - London and North Western Railway, Proposed Extension from Crewe to Shrewsbury	1852	6.11	RS3	Described as non-status specific i.e. 'occupation road', 'footpath' etc
Ordnance Survey Records 25" 1st Edition	C	BL Vol 689 (26) - Shropshire (Northern Division) Sheet XXI.4 - Wem & Loppington Parishes	1880	6.12	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 1601 (3) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 3.	1900	6.14	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 138 - OS of England WEM	1902	6.15	OSM26	Route described as '3rd class metalled road' on key or Characteristics Sheet
					OSM20	Route un-named on map
Finance Act Survey Records	C	TNA Map IR 132/4/213 - SHROPSHIRE SHEET XXI.7 - SECOND	1909/1910	6.16	FA2	Route Included in Hdtmt

		EDITION 1902				
Finance Act Survey Records	C	TNA Map IR 132/4/209 - SHROPSHIR E SHEET XXI.3 - SECOND EDITION 1912	1910	6.17	FA2	Route Included in Hdmt
Finance Act Survey Records	C	SHR Book 4044/96 A Valuation Book for the parishes or places of Lee Brockhurst, Shawbury, Stanton on Hine Heath and Wem	1910	6.18	FB7	Field book states no public or private rights of way
Deposited Railway Records	D	SHR Plan DP/335 - Shrewsbury and Wem Railway	Un-dated	6.19	RP1	Route specifically numbered on plan
		SHR Book Of Reference DP/335 - Shrewsbury and Wem Railway	Un-dated		6.20	RB3

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
Non-OS Commercial Mapping	SHR Map GREENWOODS 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1826 &	1827	RC12	Road

	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....			
Ordnance Survey Records Surveyors Drawings	SHR 320 (E) - PART of SHROPSHIRE	1827	RC14	Unspecified
Ordnance Survey Records 1" Old Series	SHR Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	RC14	Unspecified
Tithe Survey Records	SHR Map IR/30/29/334 - Map of the Townships of Tilley and Trench in the Parish of Wem in the County of Salop	1840-1844	RC14	Unspecified
Deposited Railway Records	SHR Plan DP/337 - Shrewsbury Oswestry and Chester JUNCTION RAILWAY. PLANS & SECTIONS OF THE WEM BRANCH, MONTCOMERYSHIRE BRANCH. AND DEVIATIONS	1845	RC14	Unspecified
	SHR Section DP/337 - Shrewsbury Oswestry and Chester JUNCTION RAILWAY. PLANS & SECTIONS OF THE WEM BRANCH, MONTGOMERYSHIRE BRANCH. AND DEVIATIONS	1845	RC12	Road
	SHR Book Of Reference DP/337 -	1845	RC11	Occupation road

	Shrewsbury Oswestry and Chester Junction Railway. Branch to Wem. Book of Reference.			
Deposited Railway Records	SHR Plan DP/347 - London & North Western Railway Plan and Sections of the Proposed Extensions Railway from Crewe to Shrewsbury	1852	RC14	Unspecified
	SHR Book Of Reference DP/347 - London and North Western Railway, Proposed Extension from Crewe to Shrewsbury	1852	RC11	Occupation road
Deposited Railway Records	SHR Section DP/347 - London and North Western Railway, Proposed Extension from Crewe to Shrewsbury	1852	RC11	Occupation road
Ordnance Survey Records 25" 1st Edition	BL Vol 689 (26) - Shropshire (Northern Division) Sheet XXI.4 - Wem & Loppington Parishes	1880	RC14	Unspecified
	BL Vol 689 (30) - Shropshire (Northern Division) Sheet XXI.7 - Wem, Middle, Broughton & Clive Parishes	1880	RC14	Unspecified
Ordnance Survey Records 25" 2nd Edition	BL 1601 (3) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 3.	1900	RC14	Unspecified
	BL 1601(7) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 7.	1900	RC14	Unspecified

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 132/4/213 - SHROPSHIRE SHEET XXI.7 - SECOND EDITION 1902	1909/1910	RC14	Unspecified
Finance Act Survey Records	TNA Map IR 132/4/209 - SHROPSHIRE SHEET XXI.3 - SECOND EDITION 1912	1910	RC14	Unspecified
Finance Act Survey Records	SHR Book 4044/96 A Valuation Book for the parishes or places of Lee Brockhurst, Shawbury, Stanton on Hine Heath and Wem	1910	RC14	Unspecified
Deposited Railway Records	SHR Plan DP/335 - Shrewsbury and Wem Railway	Un-dated	RC14	Unspecified
	SHR Book Of Reference DP/335 - Shrewsbury and Wem Railway	Un-dated	RC12	Road

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
Non-OS Commercial Mapping	SHR Map GREENWOODS 1827 - Map of the	1827	PA1	Two parallel solid black lines

	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....			
Ordnance Survey Records Surveyors Drawings	SHR 320 (E) - PART of SHROPSHIRE	1827	PA1	Two parallel solid 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
Tithe Survey Records	SHR Map IR/30/29/334 - Map of the Townships of Tilley and Trench in the Parish of Wem in the County of Salop	1840-1844	PA3	Two parallel solid black lines (in-filled)
Deposited Railway Records	SHR Plan DP/337 - Shrewsbury Oswestry and Chester JUNCTION RAILWAY. PLANS & SECTIONS OF THE WEM BRANCH, MONTCOMERYSHIRE BRANCH. AND DEVIATIONS	1845	PA1	Two parallel solid black lines
Deposited Railway Records	SHR Plan DP/347 - London & North Western Railway Plan and Sections of the Proposed Extensions Railway from Crewe to Shrewsbury	1852	PA1	Two parallel solid black lines
Ordnance Survey	BL Vol 689 (26) - Shropshire	1880	PA2	Two parallel dashed black lines

Records 25" 1st Edition	(Northern Division) Sheet XXI.4 - Wem & Loppington Parishes		PA1	Two parallel solid black lines
	BL Vol 689 (30) - Shropshire (Northern Division) Sheet XXI.7 - Wem, Middle, Broughton & Clive Parishes	1880	PA1	Two parallel solid black lines
Ordnance Survey Records 25" 2nd Edition	BL 1601 (3) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 3.	1900	PA2	Two parallel dashed black lines
	BL 1601(7) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 7.	1900	PA1	Two parallel solid black lines
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	PA1	Two parallel solid black lines
Deposited Railway Records	SHR Plan DP/335 - Shrewsbury and Wem Railway	Un-dated	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. Tithe Survey Records

The Tithe Survey map demonstrates evidence for the route as a physical feature only. The route is shown to be un-numbered and not within a numbered parcel therefore there is no evidence for the route in the associated apportionment.

2. Finance Act Survey Records

The Finance Act Survey map demonstrates evidence for the route. The route is shown included within hereditaments and has been given its own specific hereditament number. The entry in the field book for hereditament "1136" gives the occupier as "Jones R'd" and describes the property as "house & land" on page "1" with a deduction of "£15" given under the heading "Easements" on page "2". Given that the route is shown specifically numbered it is possible to establish that the deduction can be attributed to the case file route. The presence of a deduction for an easement suggests that the route may have been to be considered to be private.

3. Deposited Railway Records

The Deposited Railway Records examined demonstrate evidence for the length B – C of the route. The route is shown on three separate Deposited Railway Records. On Deposited Railway Record, DP/335, the route is shown on the plan specifically numbered with the corresponding entry in the book of reference describing the route as a "private road". On Deposited Railway Record, DP/337, the route is shown on the plan specifically numbered with the corresponding entry in the book of reference describing the route as an "occupation road". The route is further described in the section as a "public road to be raised 8 feet 6 ins". On Deposited Railway Record, DP/347, the route is shown on the plan specifically numbered with the corresponding entry

in the book of reference describing the route as an “occupation road”. The route is further described in the section as an “occupation road”.

4. Non-Ordnance Survey Commercial Mapping

On Greenwood’s Non-Ordnance Survey Commercial map the route is described under the heading "Cross Roads" in the map key. For the purposes of Discovering Lost Ways research, the identification of a 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 Documents

a) Ordnance Survey Surveyors Drawings

The route is shown on the Ordnance Survey Surveyor’s Drawing as a physical feature only.

b) Ordnance Survey 1” Old Series

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

c) Ordnance Survey 25” 1st Edition

The Ordnance Survey 25” 1st Edition demonstrates evidence for the route as a physical feature only. The route is shown specifically numbered but there is no evidence for the route in the associated book of reference. There are annotated limitations, in this case gates or stiles shown at point A / B & C of the case file route.

d) Ordnance Survey 25” 2nd Edition

The Ordnance Survey 25” 2nd Edition demonstrates evidence for the route as a physical feature only. The route is shown un-named on the map therefore the object name book has not been examined. There are annotated limitations, in this case gates or stiles shown at point A / B & C of the case file route.

e) Ordnance Survey 1” Revised New Series

The Ordnance Survey 1” Revised New Series map demonstrates evidence for the 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 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 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 Survey 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:

The evidence derived from the three Deposited Railway Records is contradictory. The route is described as an "occupation road" in the book of reference for DP/337 but is then described as a "public road..." in the associated section. Furthermore, the book of reference for DP/335 describes the route as a "private road" while DP/335 describes the route as an "occupation road" on the section and in the book of reference. The presence of a deduction for an easement in the Finance Act Records suggests that the route may have been to be considered to be private.

Outcome of the evaluation:

Case SH/183/004 was included in the research scope by Discovering of Lost Ways Project as the route is a potential gap in the definitive map network between public roads C2051/50 and B5476/190 (the references given on Shropshire County Council's List of Streets).

From the documents examined it is possible to establish that the case file route is shown on the Finance Act Survey map. The route is shown included within hereditaments and has been given its own specific hereditament number. The entry in the field book for hereditament "1136" gives the occupier as "Jones R'd" and describes the property as "house & land" on page "1" with a deduction of "£15" given under the heading "Easements" on page "2". Given that the route is shown specifically numbered it is possible to establish that the deduction can be attributed to the case file route. The presence of a deduction for an easement suggests that the route may have been to be considered to be private. The Deposited Railway

Records examined demonstrate evidence for the length B – C of the route. The route is shown on three separate Deposited Railway Records. On Deposited Railway Record, DP/335, the route is shown on the plan specifically numbered with the corresponding entry in the book of reference describing the route as a “private road”. On Deposited Railway Record, DP/337, the route is shown on the plan specifically numbered with the corresponding entry in the book of reference describing the route as an “occupation road”. The route is further described in the section as a “public road to be raised 8 feet 6 ins”. On Deposited Railway Record, DP/347, the route is shown on the plan specifically numbered with the corresponding entry in the book of reference describing the route as an “occupation road”. The route is further described in the section as an “occupation road”.

The route is also shown as a physical feature on the supporting Ordnance Survey Records. There are annotated limitations, in this case gates or stiles shown at point A / B & C of the case file route on the 25” 1st & 2nd Edition maps.

The Ordnance Survey 1” Revised New Series map demonstrates evidence for the 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 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 considered therefore that a public vehicular right of way existed over the route at the time of the survey.

The evidence derived from the three Deposited Railway Records is contradictory. The route is described as an “occupation road” in the book of reference for DP/337 but is then described as a “public road...” in the associated section. Furthermore, the book of reference for DP/335 describes the route as a “private road” while DP/335 describes the route as an “occupation road” on the section and in the book of reference. The presence of a deduction for an easement suggests that the route may have been to be considered to be private.

Although the evidence for part of the length of the route 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, the case as a whole has been categorised as “tentative”. Owing to the contradictory evidence from the Deposited Railway Records and Finance Act Survey Records it is considered that further evidence for the whole route would be needed before a definitive map modification order application could be made 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 3.4: Deposited Railway 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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