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App. Ref. No.....

Form A1

WILDLIFE AND COUNTRYSIDE ACT 1981

APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER

DEFINITIVE MAP OF RIGHTS OF WAY FOR SHROPSHIRE

To: The Outdoor Recreation Manager

Outdoor Recreation

Shropshire Council

Shirehall

Abbey Foregate

Shrewsbury

SY2 6ND

We Herefordshire Ramblers (Name of Applicant)

Of Brackleyberg, Brinjshy Common, (Address of Applicant)

Worcester, WR6 5UN

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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 following right of way

Parish..... Bromfield



Status: ~~Byway Open to All Traffic/Restricted Byway/Bridleway/Footpath~~

* delete as appropriate

From..... 5046127408

To..... County boundary (Location of right of way)

as shown on the map accompanying this application.

(A map must be supplied with a scale of at least of 1:25,000)

I/We attach the following documentary evidence including evidence of use statements, in support of this application:

Application Statement

.....

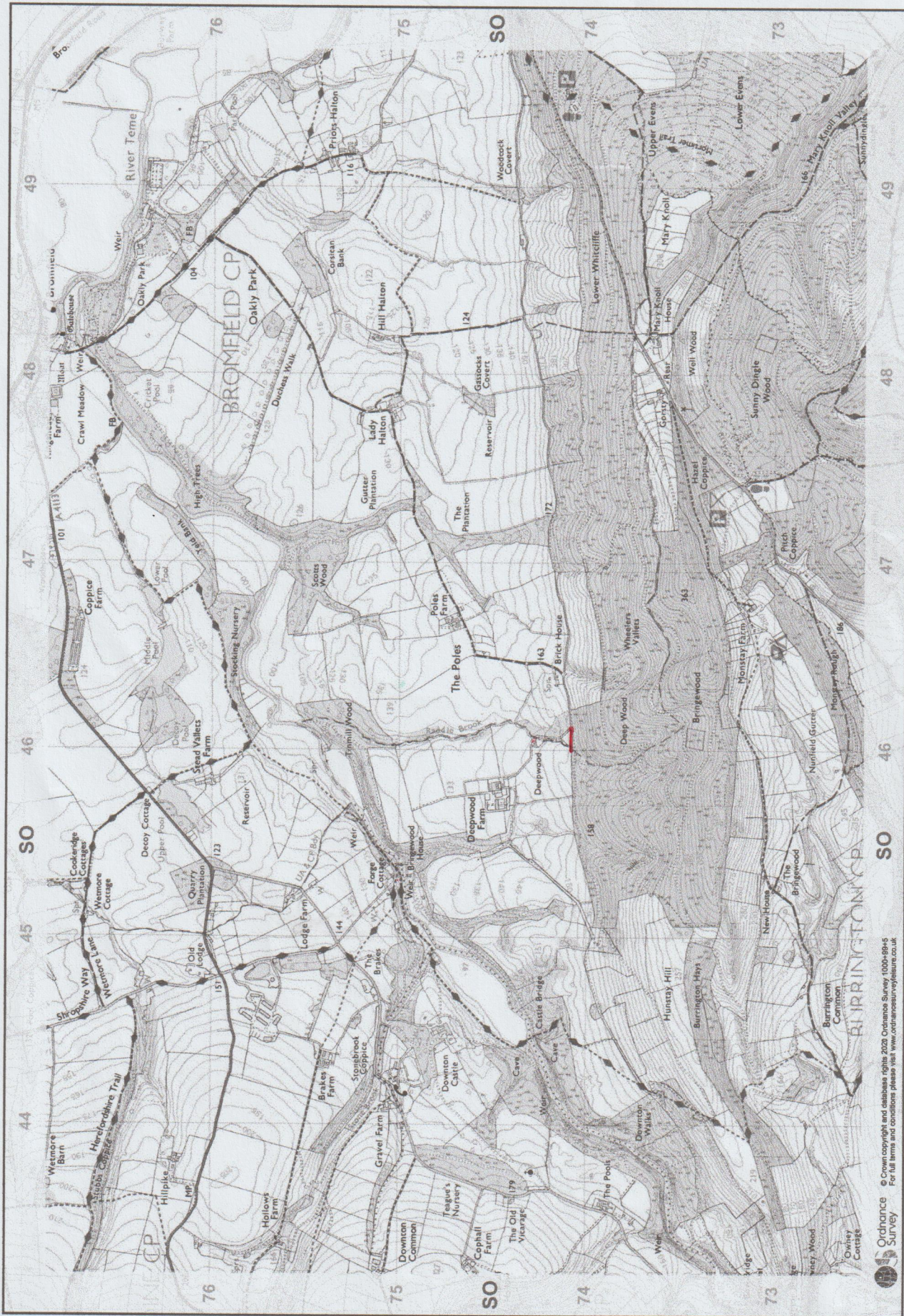
.....

..... (Name of Applicant)

Dated 2.2.22 2022

Signed T. Fisher PRINT Tom FISHER C/O NAME HEREFORDSHIRE RAMBLERS

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— new restricted byway

Parish of Bromfield

Application for restricted byway

The application route

The addition is shown on the map in red with solid line.

Value of the route

The route will complement an application to Herefordshire for the westward extension of this route towards Downton.

Documentary evidence

The route is shown on Price's map of Herefordshire of 1817 (figure 1). Henry Price's map shows many of the lanes and roads as shown on modern maps and still in existence today. They were based on 2-inch working drawings produced by Ordnance Survey in or around 1815 enhanced by an actual survey that he undertook.



Figure 1 Price 1817

The route is shown on Bryant's map of 1835 (figure 2). According to the key the route is shown as a lane or bridleway (figure 2A).



Figure 2A Bryant key

Bryant's maps were made using the OS base survey from about 1815 enhanced and updated by thorough surveys on the ground and with the aid of locally available parish and estate maps willingly loaned by the landowner. The map was made for sale to the public and so is unlikely to show routes that the public could not use. (See *The unknown A. Bryant and his county maps* by Jonathan Pepler, Imago Mundi, 2014.)



Figure 2B Bryant 1835

The route is also shown on the OS 1" first series (figure 3) and OS 6" 1905 map (figure 4). Later editions of the OS map included a disclaimer that representation on the map was no evidence of right of way but the first series had no such disclaimer



Figure 3 OS 1" first edition Leominster

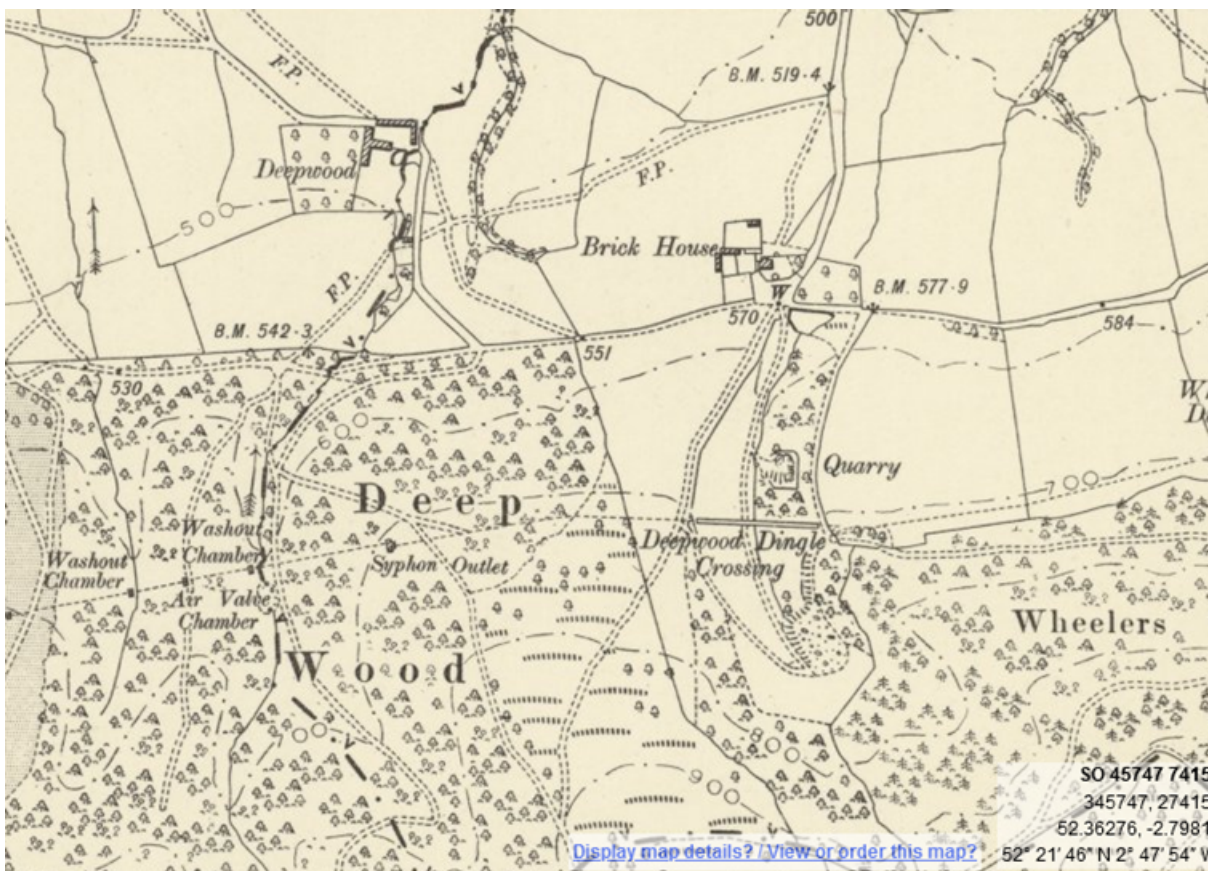


Figure 4 6" OS 1905

The tithe maps for Burrington (figure 4) and Bromfield (figure 5) show the route enjoying the same status as adjacent roads which are recognised today. The Burrington tithe map signs the route to Ludlow and the Bromfield tithe map signs the route from Bringwood.

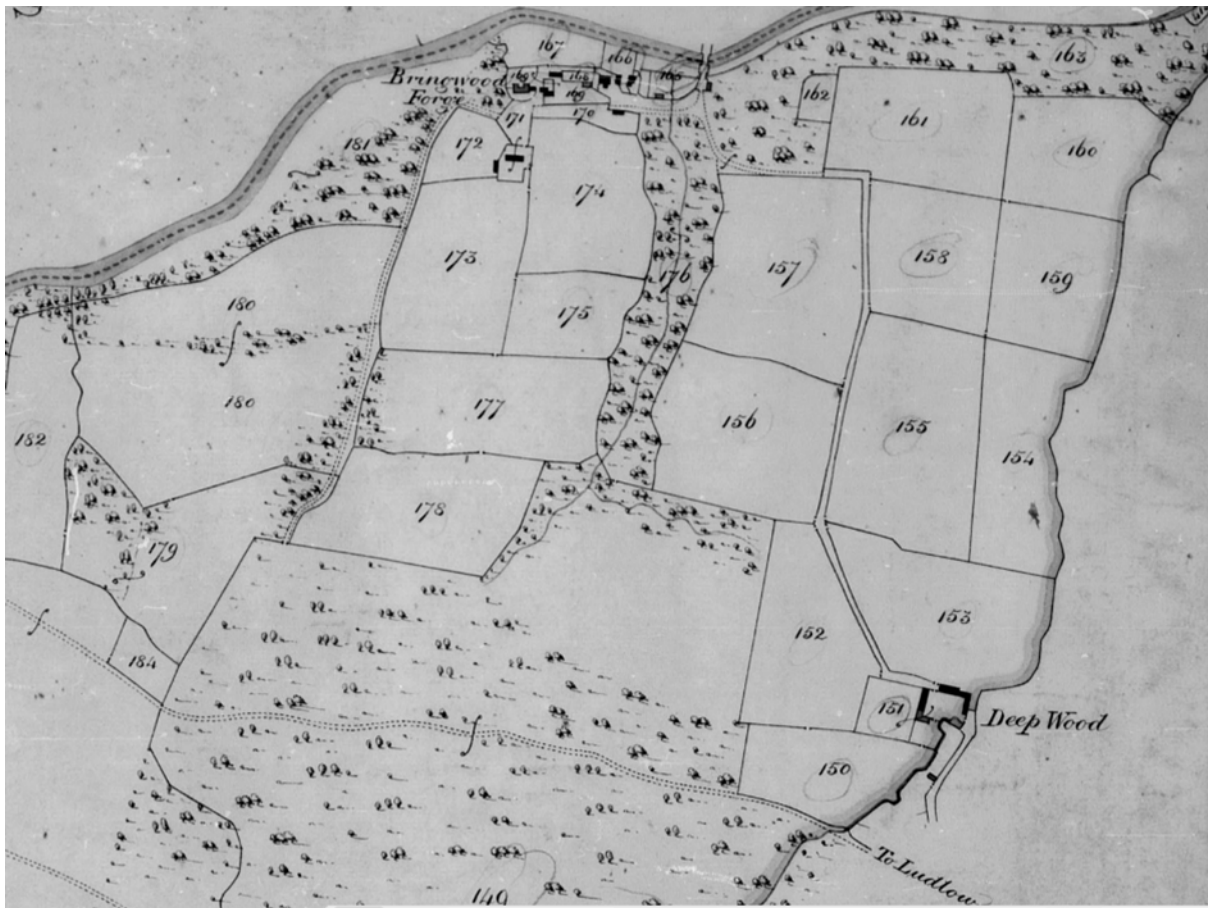


Figure 5 Burrington tithe map

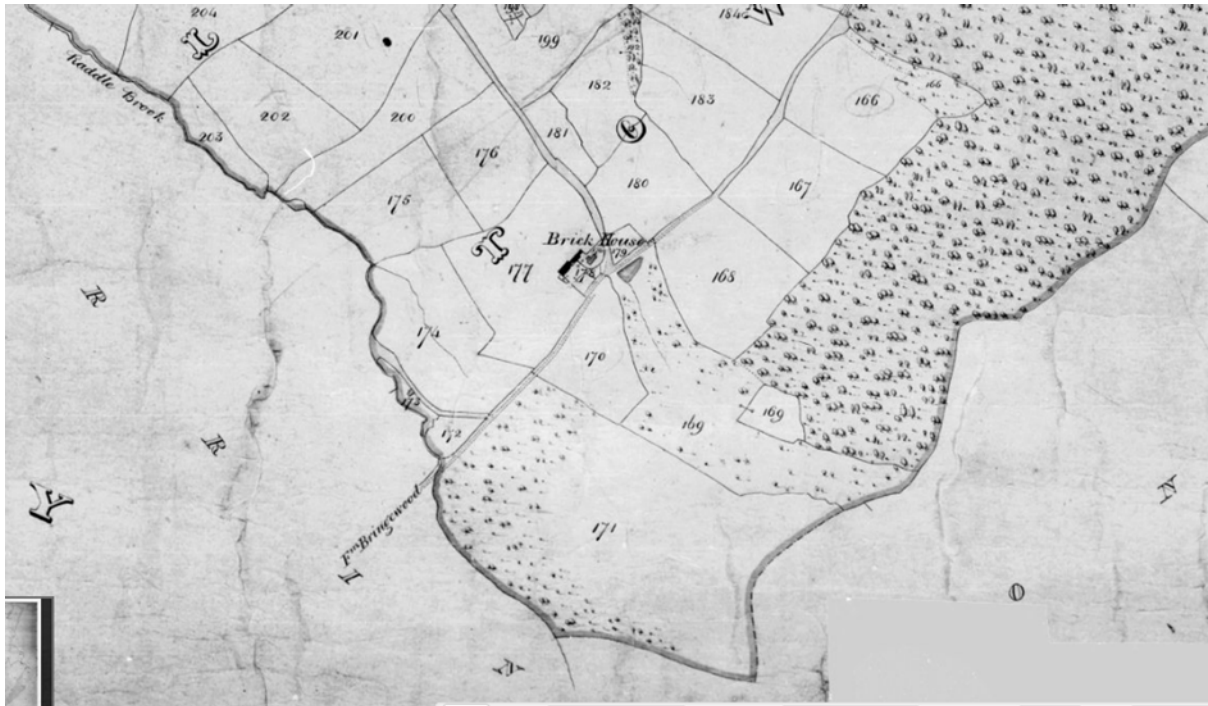


Figure 6 Bromfield tithe map

Conclusion

On the balance of probabilities (this test was confirmed by the High Court in *Todd, Bradley v Secretary of State for Environment, Food and Rural Affairs*) highway rights exist on the claimed route.

I therefore request Shropshire Council to amend the definitive map accordingly.