

---

## 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 SJ38833602) to Point C (OSGR SJ39113656)  
**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/073/027BHS which contains copies of the following documents or extracts thereof:***
- Ordnance Survey Surveyors Drawings, BL 316, entitled "PARTS OF Cheshire, Shropshire, Flintshire and Denbighshire",
- Ordnance Survey 1" Revised New Series (outline), Sheet 138 dated 1899 and 122, dated 1897
- Ordnance Survey 25" 1st Edition, "Shropshire Sheet VI.14 (Ellesmere Rural; Ellesmere Urban)", dated 1874
- Finance Act Survey Map, TNA IR/132/4/35, dated 1910

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 Caegoody in the Parish of Ellesmere Rural , Shropshire to be shown as  
a Public Bridleway

*Applicant's Reference: DLW SH/073/027*



*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**

<b>Case File Ref. No.</b>	SH/073/027
<b>Name</b>	Un-named
<b>Historic County</b>	Shropshire
<b>Sub-Unit</b>	Shropshire Sub-unit 1
<b>Parish(es)</b>	Ellesmere Urban and Ellesmere Rural
<b>Surveying Authority</b>	Shropshire County Council
<b>Definitive Map Ref. No.</b>	None
<b>Other Designation(s) Ref. No.</b>	None
<b>Route Length</b>	876 metres
<b>OS 1:10,000 Sheet(s)</b>	SJ33NE
<b>Grid Ref (start)</b>	SJ3884 3602
<b>Grid Ref (end)</b>	SJ3913 3656
<b>ARU ASSESSMENT OUTCOME</b>	
<b>Status/Class</b>	Public carriageway
<b>Strength</b>	Strong
<b>Comment</b>	Shown excluded from hereditaments on Finance Act Map. Described on the OS 1" New Series map as '3rd Class Metalled Road'

Date:

**17 September 2007**

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	18
8. Overall Evaluation of Evidence	24
Appendix A - Methodological Statement	27
Appendix B - Acknowledgements	28

## **1. Summary of Findings**

Case file SH/073/027 was included in the research scope by the Discovering of 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. The route is shown as uncoloured and excluded from hereditaments. 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.

The Ordnance Survey 1" Revised New Series map demonstrates evidence for the route. The route is shown on the maps as consisting of two solid or fine dashed parallel black lines and is described in the key as a "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. It is also shown on the supporting Ordnance Survey maps but these give no evidence of status.

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 adding the route to the definitive map.

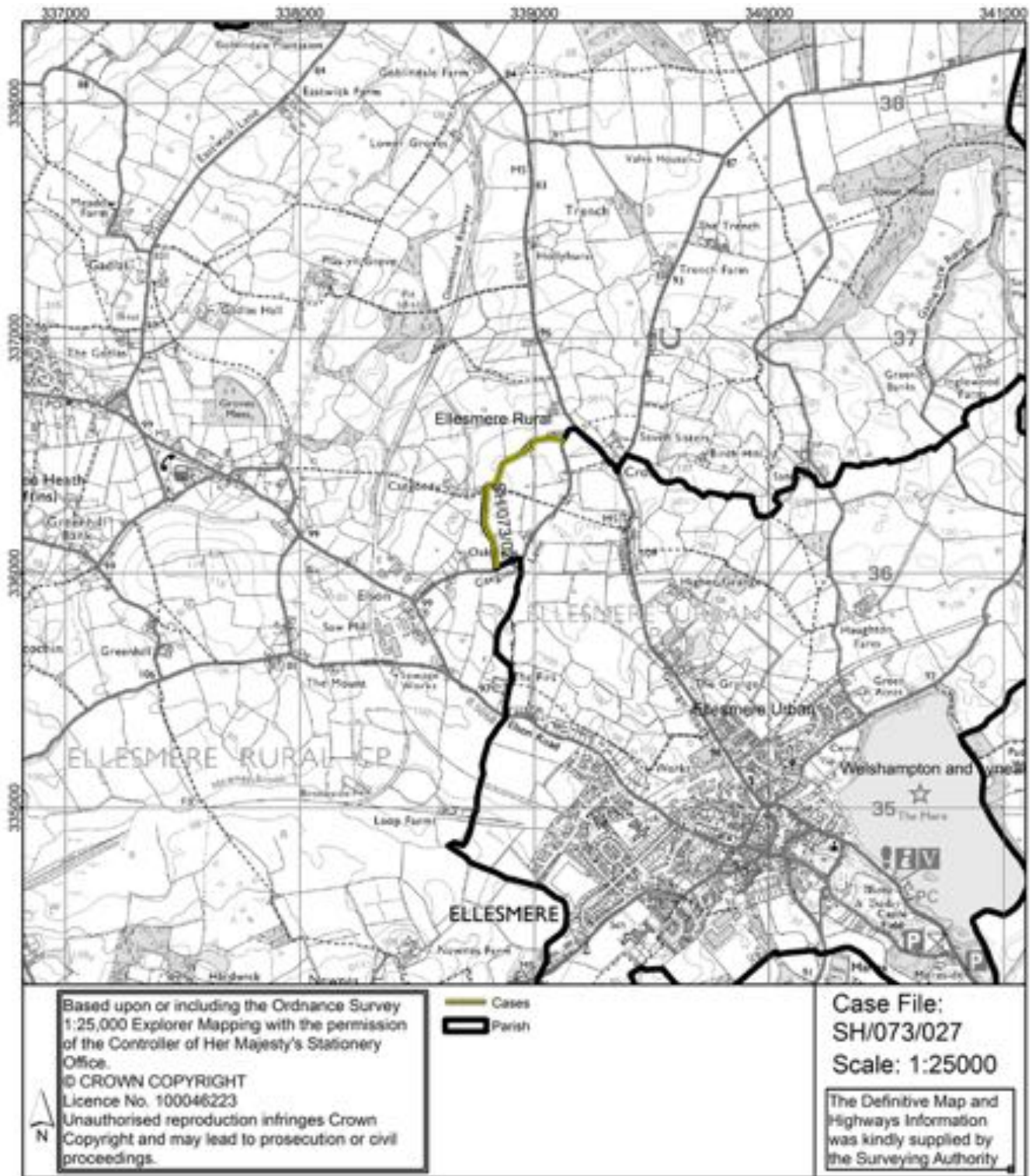
## 2. Description of Route

The route begins at a junction with Caegoody Lane (which has been given the reference C1024/10 on Shropshire County Council's List of Streets) at coordinate SJ3884 3602 (point A on the Case File Route Map). The route then heads in a northerly direction to coordinate SJ3880 3636 (point B on the Case File Route Map). From here, the route heads in a north easterly direction to where it terminates at the junction with Caegoody Lane (which has been given the reference C1024/10 on Shropshire County Council's List of Streets) at coordinate SJ3913 3656 (point C on the Case File Route Map).

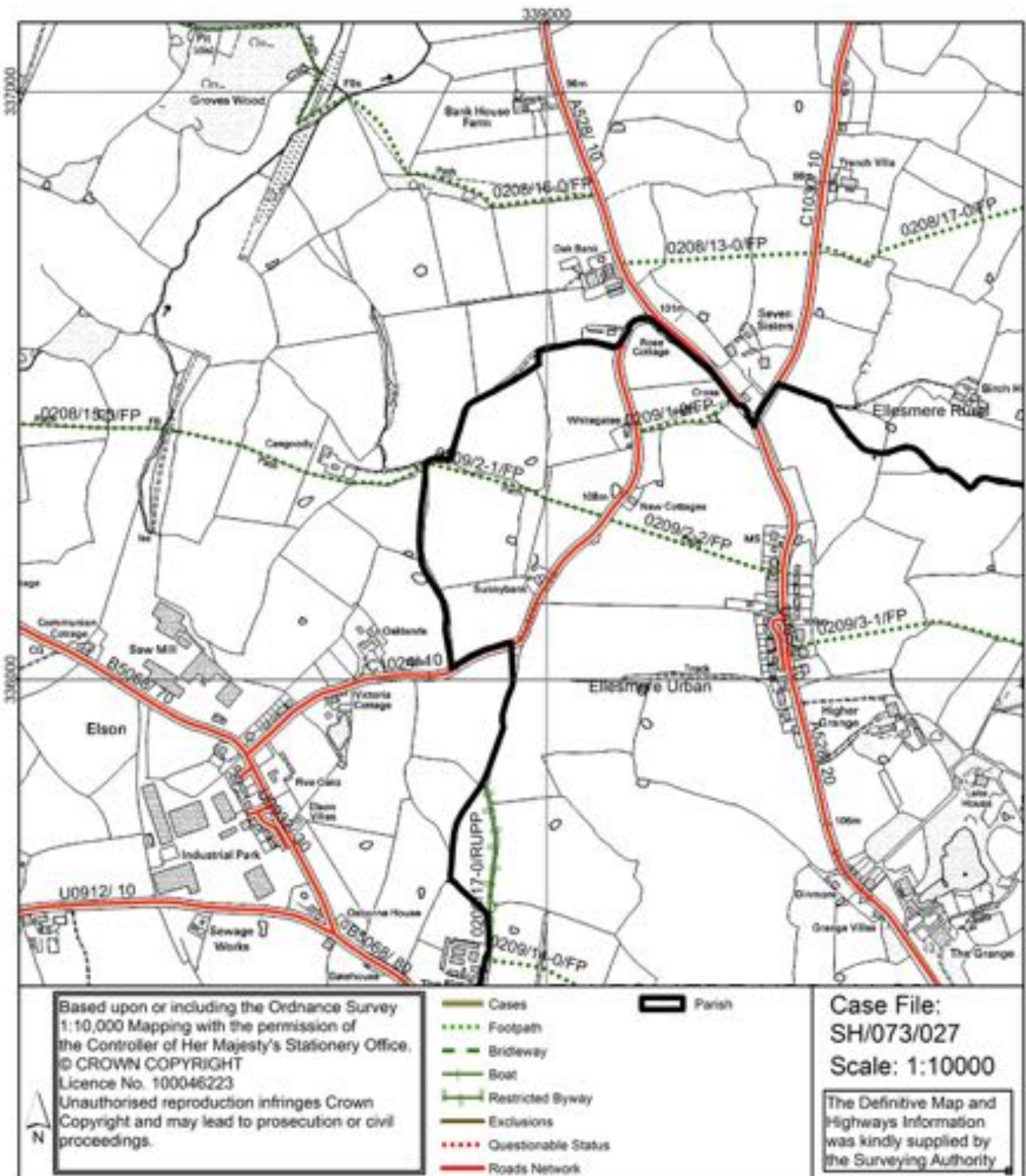
The route has a length of 803 metres.

During the research process, the whole of the case file reference number SH/073/027 was identified with the case route numbers EU1 (point A to B) and ER6 (point B to C). 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 the evidence is neutral, the case file reference number is used (plain text).

### 3. Location Plan

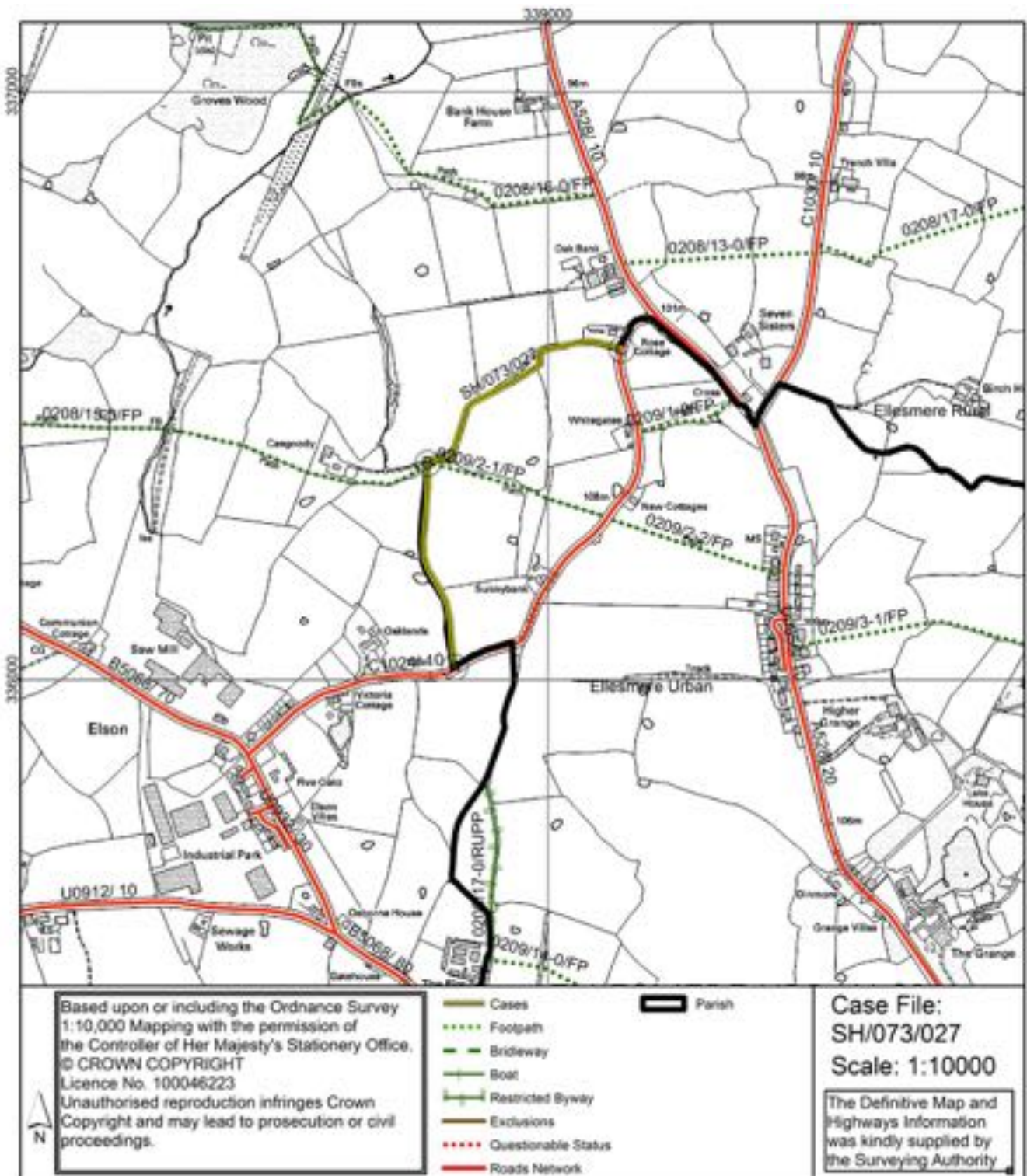


#### 4. Current Definitive Paths





## 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
National Library of Scotland	92 Cowgate Edinburgh, EH1 1JN	NLS

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/073/027 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" 1<sup>st</sup> and 2<sup>nd</sup> 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.

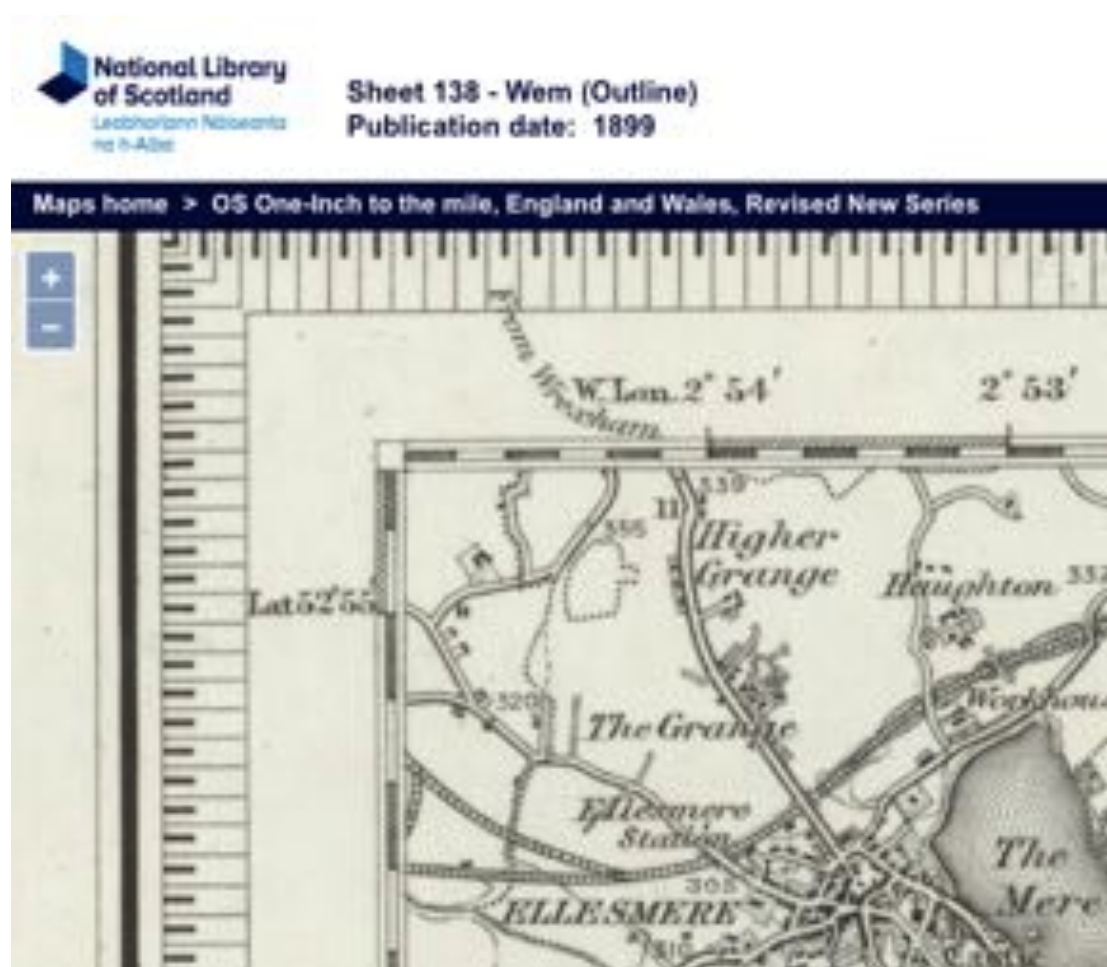
1. Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 1, entitled "To the Right Honorable EDWARD EARL OF POWIS Lord Lieutenant and Custos Rotulorum of the Counties of SALOP AND MONTGOMERY This MAP of SHROPSHIRE is humbly and respectfully dedicated by his Lordship's obliged and obedient servant ROBERT BAUGH", dated 1808, covers the area but demonstrates no evidence for case SH/073/027.

**2. Ordnance Survey Surveyors Drawings, BL 316, entitled "PARTS OF Cheshire, Shropshire, Flintshire and Denbighshire." dated 1819, demonstrates evidence for all of route EU1 and ER6. The first part of the route, EU1 is observed to commence at a point northwest of "Ellesmere" on the map. The route heads north east for a short distance where it becomes route ER6. It is shown uncoloured and is depicted as consisting of two parallel solid black lines. The route is shown un-named on the map. The route is observed to terminate at a junction with other routes to the west of "The Cross" 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" dated 1827, covers the area but demonstrates no evidence for case SH/073/027.

4. Ordnance Survey 1" Revised New Series (outline), Sheet 138 dated 1899 and 122, dated 1897, demonstrates evidence for all of route EU1 and ER6. The first part of the route, EU1, is observed to commence on the map, sheet 138, at a junction with another route to the west of "Higher Grange" on the map. From here, the route extends in a northerly direction where it becomes ER6 at a step in the route. The whole of 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 west of "The Cross" on the map, sheet 122.





5. Tithe Map, TNA IR 30/29/122, entitled "Part 7: Plan of the Township of Trench in the Parish of Ellesmere in the County of Salop", dated 1839, demonstrates evidence for all of route EU1 and ER6. The first part of the route, EU1 is observed to commence at the south east corner of parcel "6" on the map. From here, the route extends to the north where it becomes ER6 at the north east corner of parcel "9". The whole of 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. The route is observed to terminate at the south edge of parcel "46" on the map.

6. Tithe Map, TNA IR 30/29/122, entitled "Part 12: Township of Ellesmere in the Parish of Ellesmere in the county of Salop", dated 1839, demonstrates evidence for all of route EU1 and ER6. The first part of the route, EU1, is observed to commence at the south west corner of parcel "1114" on the map. The route heads in a northerly direction where it becomes ER6 at the north west corner of parcel "1116". The whole route is shown but is un-numbered and not within a numbered parcel and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at north east corner of parcel "1118" on the map.

7. Railway Plan, SHR DP/401, entitled "Plans and Sections of the Ellesmere, Oswestry, Ruabon and Shrewsbury Railway. Session 1861-2", dated 1861-2, demonstrates evidence for part of route EU1. The route is observed to commence at the junction with another route in the north of parcel "111" on the map. It shows the route outside the Limits of Deviation and is depicted as consisting of two parallel solid black lines. The route terminates at the edge of the map, but clearly continues.

8. Railway Section, SHR DP/401, entitled "Plans and Sections of the Ellesmere, Oswestry, Ruabon and Shrewsbury Railway. Session 1861-2", dated 1861-2, covers the area but demonstrates no evidence for case SH/073/027.

**9. Ordnance Survey 25" 1st Edition, "Shropshire Sheet VI.14 (Ellesmere Rural; Ellesmere Urban)", dated 1874, demonstrates evidence for all of route EU1 and route ER6. The first part of the route, EU1, is observed to commence at a junction with another route at the south east corner of parcel "559". This section of the route is depicted as two parallel solid black lines. The route heads in a northerly direction where it changes in to ER6 at the north west corner of parcel "560". Here, the route changes characteristics and is depicted as consisting of one solid and one dashed parallel black lines (in-filled).**

**The route then returns to being depicted as consisting of two parallel solid black lines (in-filled). The physical characteristic of the route change again as it enters an area of rough pasture. It is depicted as consisting of two parallel dashed black lines (in-filled). The route is observed to change physical characteristics further as it leaves the area of rough pasture. It is depicted as consisting of two parallel solid black lines (in-filled). The route is shown specifically numbered on the map as "497".**

**The route is observed to change parcel number close to its termination point, where the route is shown numbered as "562" on the map. The route is observed to terminate at a T-junction, which is in the south of parcel "498" on the map.**



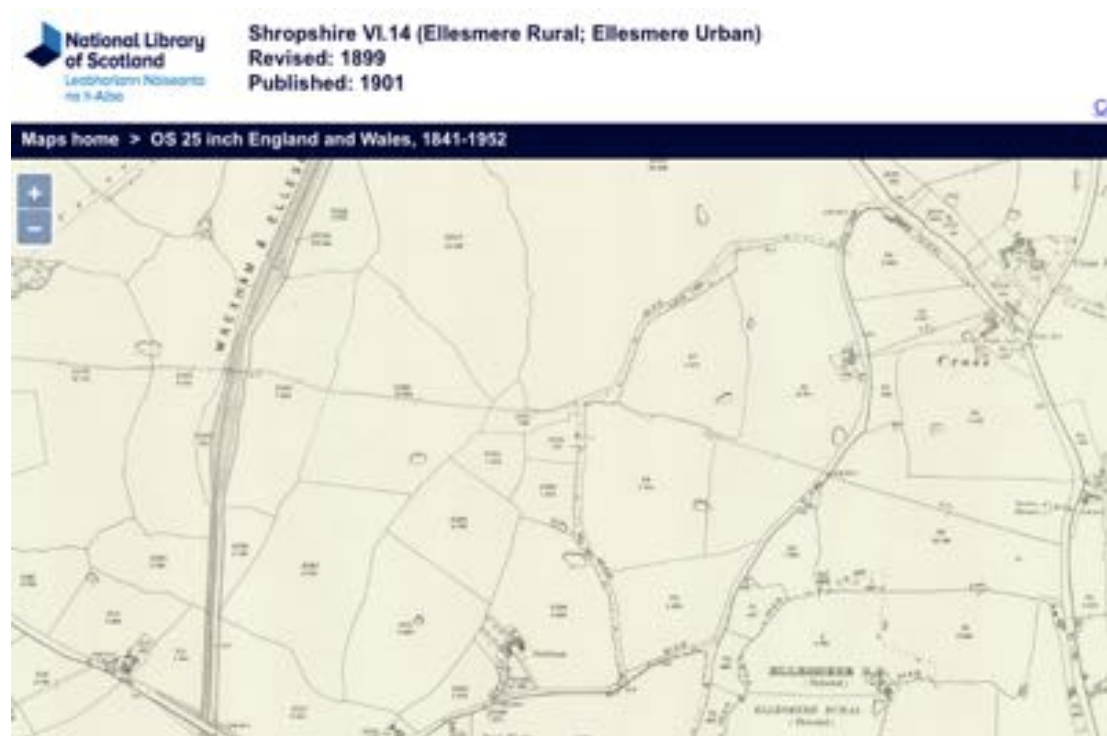
10. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Ellesmere (Part of), Hundreds of Oswestry and Pimhill, Shropshire", dated 1876, demonstrates evidence for all of route EU1 and ER6. The route is described in a manner which fails to confer any indication of status, i.e. as "Road" on page 18, in parcel number 497.

11. Ordnance Survey 25" 2nd Edition, BL 1597(35), entitled "Shropshire sheet VI.14", dated 1899, demonstrates evidence for all of route EU1 and ER6.

The first part of the route, EU1, is observed to commence at the south west corner of parcel "70", at a junction with another route. From here, the route extends to the north where it becomes ER6 at the northwest corner of parcel "68". The route is depicted as consisting of two solid parallel black lines. The route is given parcel number "69" as far as the point where the parish boundary crosses from the west side of the route to the east, after which it is given parcel number "2019".

The route changes physical characteristics for a short stretch at this point, and is depicted with one dashed and one solid parallel black line. The route then returns to its original depiction. The route changes characteristics again along the northern boundary of parcel "67", where it is depicted as two dashed parallel black lines. The route then returns to being depicted as consisting of two solid parallel black lines for the remainder of the route.

The whole of the route is shown un-named on the map. The route is observed to terminate at a T-junction, which is on the eastern side of parcel "64" 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 all of route EU1. The route is observed to commence to the east of the parish boundary and northwest of "Higher Grange" on the map. It appears to continue to the north on sheet 122. It is shown on the map but is un-named and un-coloured. The route is shown on the map consisting of two solid or pecked fine parallel black lines and is described in the key as "3rd class metalled road". The route is observed to terminate at a junction with a second class metalled road west of "Higher Grange" on the map.

13. Ordnance Survey 1" New Series, BL Maps 1175(134.), entitled "OS of England & Wales", dated 1902, demonstrates evidence for part of route ER6. The route is observed to commence at the bottom of the map west of "Cross" on the map. It is shown on the map but is un-named and un-coloured. It is shown on the map consisting of two solid or pecked fine parallel black lines and is described in the key as "3rd class metalled road". The route, which follows the parish boundary, is



observed to terminate at a junction with the first class metalled road at "Cross" on the map.

**14. Finance Act Survey Map, TNA IR/132/4/35, entitled "Shropshire sheet VI.14", dated 1910, demonstrates evidence for all of route EU1 and ER6. The first part of the route, EU1, is observed to commence at a junction with another route at the south west corner of OS parcel "70". From there, it extends to the north where it becomes ER6 at the north west corner of OS parcel "68". The route is shown uncoloured and excluded from hereditaments and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a T-junction, which is on the eastern side of parcel "64" on the map.**



15. Finance Act Field Book, TNA IR/58/75734, entitled "Cockshutt Assessment No. 901-1000", covers the area but demonstrates no evidence for case SH/073/027.

## 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
<b>A</b>	Express Dedication	Supporting evidence
<b>B(i)</b>	Surveyor's Opinion / Strong Reputation	
<b>B(ii)</b>	Inferred Dedication / Reputation	
<b>C</b>	Neutral	Status neutral
<b>D</b>	Private	Contradictory evidence
<b>E</b>	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 Surveyor's Drawings	C	BL Map Surveyors Drawings 316 - PARTS OF Cheshire, Shropshire, Flintshire and Denbighshire.	1819	6.2	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" Revised New Series Map	C	Revised New Series (outline), Sheet 138 dated 1899 and 122 dated 1897	1897 - 1899	6.4	NLS1	Route shown on map
					NLS2	Route shown on map
Tithe Survey Records	C	TNA Map IR 30/29/122 - Part 7: Plan of the Township of Trench in the Parish of Ellesmere in the County of Salop	1839	6.5	TM3	Route shown on map not numbered specifically or within numbered parcel

Document Group	Evidence Cat.	Document	Date	See Section	Code	Code Description
Tithe Survey Records	C	TNA Map IR 30/29/122 - Part 12: Township of Ellesmere in the Parish of Ellesmere in the county of Salop	1839	6.6	TM3	Route shown on map not numbered specifically or within numbered parcel
Deposited Railway Records	C	SHR Plan DP/401 - Plans and Sections of the Ellesmere, Oswestry, Ruabon and Shrewsbury Railway. Session 1861-2	1861-2	6.7	RP5	Route outside LOD
Ordnance Survey Records 25" 1 <sup>st</sup> Edition	C	25" 1st Edition Shropshire Sheet VI.14	1874	6.9	NSL3	Route specifically numbered on plan
		BL Book Map 25" 1st Edition BOR None - Book of Reference to the Plan of the Parish of Ellesmere (Part of), Hundreds of Oswestry and Pimhill, Shropshire	1876	6.10	OSB5	Route described as non-status specific i.e. - 'Occupation Road' or 'Footpath'
Ordnance Survey Records 25" 2 <sup>nd</sup> Edition Map	C	25" 2nd Edition Shropshire sheet VI.14	1910	6.11	NSL4	Route Shown un-named on map
Ordnance Survey Records 1" New Series Map	C	BL Map 1" New Series Maps 1175(134) - OS of England & Wales	1902	6.12	OSM13	Route shown on OS 1" New Series
					OSM14	Route shown un-coloured on OS 1" New Series
					OSM20	Route un-named on map
					OSM26	Route described as '3rd class metalled road' on key or Characteristics Sheet
Ordnance Survey Records 1" New Series Map	B(ii)	BL Map 1" New Series Maps 1175 (134) sheet 138 - OS of England WEM	1902	6.13	OSM13	Route shown on OS 1" New Series
					OSM14	Route shown un-coloured on OS 1" New Series
					OSM20	Route un-named on map

Document Group	Evidence Cat.	Document	Date	See Section	Code	Code Description
					OSM26	Route described as '3rd class metalled road' on key or Characteristics Sheet
Finance Act Survey Records	B(i)	TNA Map IR/132/4/35 - Shropshire sheet VI.14	1910	6.14	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 Records Surveyor's Drawings	BL Map 316 - PARTS OF Cheshire, Shropshire, Flintshire and Denbighshire.	1819	RC14	Unspecified
Ordnance Survey Records 1" Old Series Map	SHR Map Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	RC14	Unspecified
Tithe Survey Records	TNA Map IR 30/29/122 - Part 7: Plan of the Township of Trench in the Parish of Ellesmere in the County of Salop	1839	RC14	Unspecified

Tithe Survey Records	TNA Map IR 30/29/122 - Part 12: Township of Ellesmere in the Parish of Ellesmere in the county of Salop	1839	RC14	Unspecified
Deposited Railway Records	SHR Plan DP/401 - Plans and Sections of the Ellesmere, Oswestry, Ruabon and Shrewsbury Railway. Session 1861-2	1861-2	RC14	Unspecified
Ordnance Survey Records 25" 1 <sup>st</sup> Edition	BL Map Vol 685 (33) - Shropshire (Northern Division) Sheet VI.14	1874	RC14	Unspecified
	BL Book - Book of Reference to the Plan of the Parish of Ellesmere (Part of), Hundreds of Oswestry and Pimhill, Shropshire	1876	RC12	Road
			RC14	Unspecified
Ordnance Survey Records 25" 2 <sup>nd</sup> Edition Map	BL Map 1597(35) - Shropshire sheet VI.14	1899	RC14	Unspecified
Ordnance Survey Records 1" New Series Map	BL Maps 1175 (134) - OS of England & Wales	1902	RC12	Road
Ordnance Survey Records 1" New Series Map	BL Maps 1175 (134) sheet 138 - OS of England WEM	1902	RC12	Road
Finance Act Survey Records	TNA Map IR/132/4/35 - Shropshire sheet VI.14	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
Ordnance Survey Records Surveyor's Drawings	BL Map 316 - PARTS OF Cheshire, Shropshire, Flintshire and Denbighshire.	1819	PA1	two parallel solid black lines
Ordnance Survey Records 1" Old Series Map	SHR Map Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	PA1	two parallel solid black lines
Tithe Survey Records	TNA Map IR 30/29/122 - Part 7: Plan of the Township of Trench in the Parish of Ellesmere in the County of Salop	1839	PA1	two parallel solid black lines
Tithe Survey Records	TNA Map IR 30/29/122 - Part 12: Township of Ellesmere in the Parish of Ellesmere in the county of Salop	1839	PA1	two parallel solid black lines
Deposited Railway Records	SHR Plan DP/401 - Plans and Sections of the Ellesmere, Oswestry, Ruabon and Shrewsbury Railway. Session 1861-2	1861-2	PA1	two parallel solid black lines
Ordnance Survey Records 25"1 <sup>st</sup> Edition Map	BL Map Vol 685 (33) - Shropshire (Northern Division)	1874	PA10	two parallel solid black lines, dashed and in-filled

	Sheet VI.14		PA3	two parallel solid black lines (in-filled)
			PA4	two parallel dashed black lines (in-filled)
Ordnance Survey Records 25" 2 <sup>nd</sup> Edition Map	BL Map 1597(35) - Shropshire sheet VI.14	1899	PA1	two parallel solid black lines
			PA4	two parallel dashed black lines (in-filled)
Ordnance Survey Records 1" New Series Map	BL Maps 1175 (134) - OS of England & Wales	1902	PA1	two parallel solid black lines
Ordnance Survey Records 1" New Series Map	BL Maps 1175 (134) sheet 138 - OS of England WEM	1902	PA1	two parallel solid black lines
Finance Act Survey Records	TNA Map IR/132/4/35 - Shropshire sheet VI.14	1910	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 specific 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 two Tithe Survey maps demonstrate evidence for the whole route. 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. This is considered to provide neutral evidence of status.

2. Finance Act Survey Records

The Finance Act Survey map demonstrates evidence for the route. It is depicted as consisting of two parallel solid black lines and is shown uncoloured and excluded from hereditaments. 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.

3. Deposited Railway Records

The route is shown outside the Limits of Deviation and is depicted as consisting of two parallel solid black lines. This is considered to provide neutral evidence of status.

4. Ordnance Survey Records

a) Ordnance Survey 1" Old Series Map

The Ordnance Survey 1" Old Series map demonstrates evidence for the whole route. The route is shown on the map and is depicted as consisting of two parallel solid black lines. This is considered to provide neutral evidence of status.

b) Ordnance Survey 25" 1st Edition

The Ordnance Survey 25" 1st Edition demonstrates evidence for the route. The route is depicted as a two parallel solid or dashed black lines. The route is specifically numbered on the map. The accompanying Book of Reference describes the route in a manner which fails to confer any indication listing it as "Road". This is considered to provide neutral evidence of status.



c) Ordnance Survey 25" 2nd Edition

The Ordnance Survey 25" 2nd Edition demonstrates evidence for the route. The route is depicted as a two parallel solid or dashed black lines. This is considered to provide neutral evidence of status.

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 both maps as consisting of two solid or fine dashed parallel black lines and is described in the key as a "3rd class metalled road". The route is un-named on the map. 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.

e) Ordnance Survey Surveyor's Drawings

The Ordnance Survey Surveyor's Drawings demonstrate evidence for the route. It is shown as uncoloured and un-named and is depicted as consisting of two parallel solid black lines. This is considered to provide neutral evidence of status.

**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 specific legal width for the route.

**Contradictory evidence:**

No contradictory evidence was found for the route.

**Outcome of the evaluation:**

Case file SH/073/027 was included in the research scope by the Discovering of 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. The route is shown as uncoloured and

excluded from hereditaments. 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.

The Ordnance Survey 1" Revised New Series map demonstrates evidence for the route. The route is shown on the maps as consisting of two solid or fine dashed parallel black lines and is described in the key as a "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. It is also shown on the supporting Ordnance Survey maps but these give no evidence of status.

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 adding 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 3.3: Finance Act Survey 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**

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.

### **Error! Hyperlink reference not valid.**

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.

### National Library of Scotland

Reproduced with the permission of the National Library of Scotland

