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## APPLICATION FORM

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

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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 7005 3689) to Point B (OSGR SJ 7010  
3824) to a restricted byway 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/ 138.002 BHS which contains copies of the following documents or extracts thereof:**
- Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWIS (...)" dated 1808
- 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": 1 mile, entitled "Folder 1 1833-35", dated 1833-35
- Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1 mile, entitled "Folder 1 1833-35", dated 1833-35
- Ordnance Survey 25" 1st Edition, BL Vol 686 (27), entitled "Shropshire (Northern Division) IX.11 - Norton in Hales & Drayton in Hales Parishes", dated 1879
- Ordnance Survey 25" 2nd Edition, BL 1598(27), entitled "Shropshire sheet IX.11", dated 1899
- Finance Act Survey Map, TNA IR 132/4/74, entitled "Shropshire Sheet IX.11, Staffordshire Sheet XXII.6, 10 (parts of)", dated 1909/1910
- Finance Act Survey Field Book, TNA IR 58/59670, entitled "Ashley (North Staff) assessment 301-400", dated 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 Forge Lane in the Parish of Norton in Hales, Shropshire to be shown  
as a Restricted Byway

*Applicant's Reference: DLW SH/138/002*



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**

<b>Case File Ref. No.</b>	SH/138/002
<b>Name</b>	Un-named
<b>Historic County</b>	Shropshire
<b>Sub-Unit</b>	Shropshire Sub-unit 1
<b>Parish(es)</b>	Norton in Hales
<b>Surveying Authority</b>	Shropshire County Council
<b>Definitive Map Ref. No.</b>	0222/6-2/BW
<b>Other Designation(s) Ref. No.</b>	None
<b>Route Length</b>	1619 metres
<b>OS 1:10,000 Sheet(s)</b>	SJ63NE, SJ73NW
<b>Grid Ref (start)</b>	SJ7005 3689
<b>Grid Ref (end)</b>	SJ7010 3824
<b>ARU ASSESSMENT OUTCOME</b>	
<b>Status/Class</b>	Public carriageway
<b>Strength</b>	Tentative
<b>Comment</b>	Part Shown uncoloured and excluded from hereditaments on the Finance Act Survey 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 file SH/138/002 was included in the research scope by the Shropshire County Council during the course of research due to the discovery of evidence suggesting the existence of a public right of way.

The Finance Act Survey map demonstrates evidence for the route. Part of the route is shown included in hereditament number "371". The associated field book describes a deduction made for "Footpaths over 25 acres £16". A deduction for public rights of way or user is provided in this case "£16" but this is inadequately accounted for on the map, owing to the Field Book referring to the number of routes in plural. Furthermore the field book does not make clear which 25 acres are being referred to. The remaining length of the route is shown uncoloured and excluded from hereditaments. Overall, the excluded section of the route suggests that part of the route was considered to be a public highway at the time of the Finance Act Survey, but does not in itself provide evidence about the class of rights that existed over it.

The two Non-Ordnance Survey Commercial maps demonstrate evidence for part of the route. On Baugh's map the route is described under the heading "By-roads" in the map key. On Greenwood's map part of 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.

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 1<sup>st</sup>, 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.

Although the evidence for the route meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981, the case as a whole has been categorised as "tentative". It is considered that further evidence would be needed before a definitive map modification order application could be made to record public carriageway rights on the definitive map.

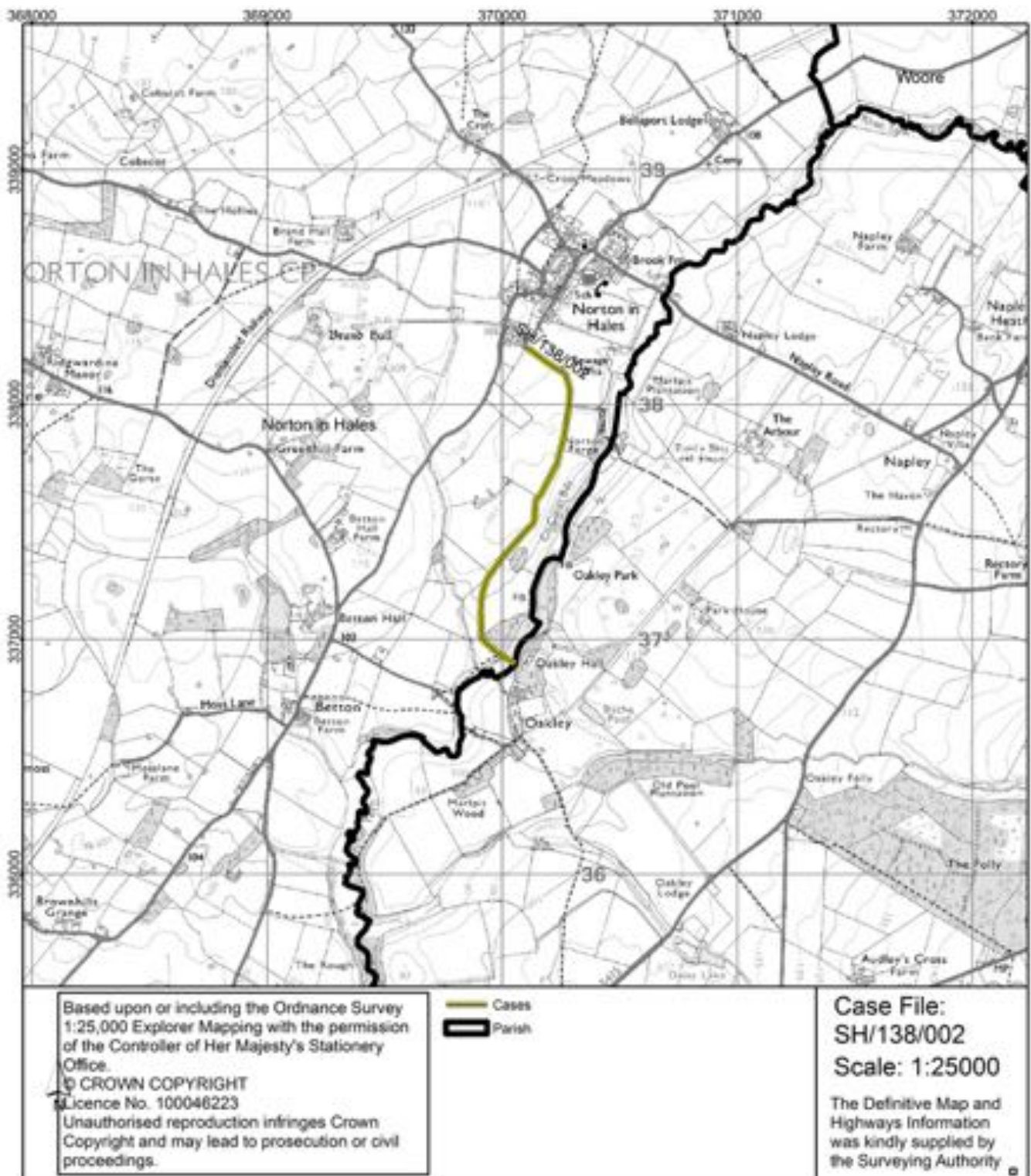
## 2. Description of Route

The route begins at coordinate SJ7005 3689 (point A on the Case File Route Map). The route then heads in a northerly direction, following Norton in Hales Bridleway 4 to where it terminates at a junction with Forge Lane (which has been given the reference U2811/10 on Shropshire County Council's List of Streets) coordinate SJ7010 3824 (point B on the Case File Route Map).

The route has a length of 1619 metres.

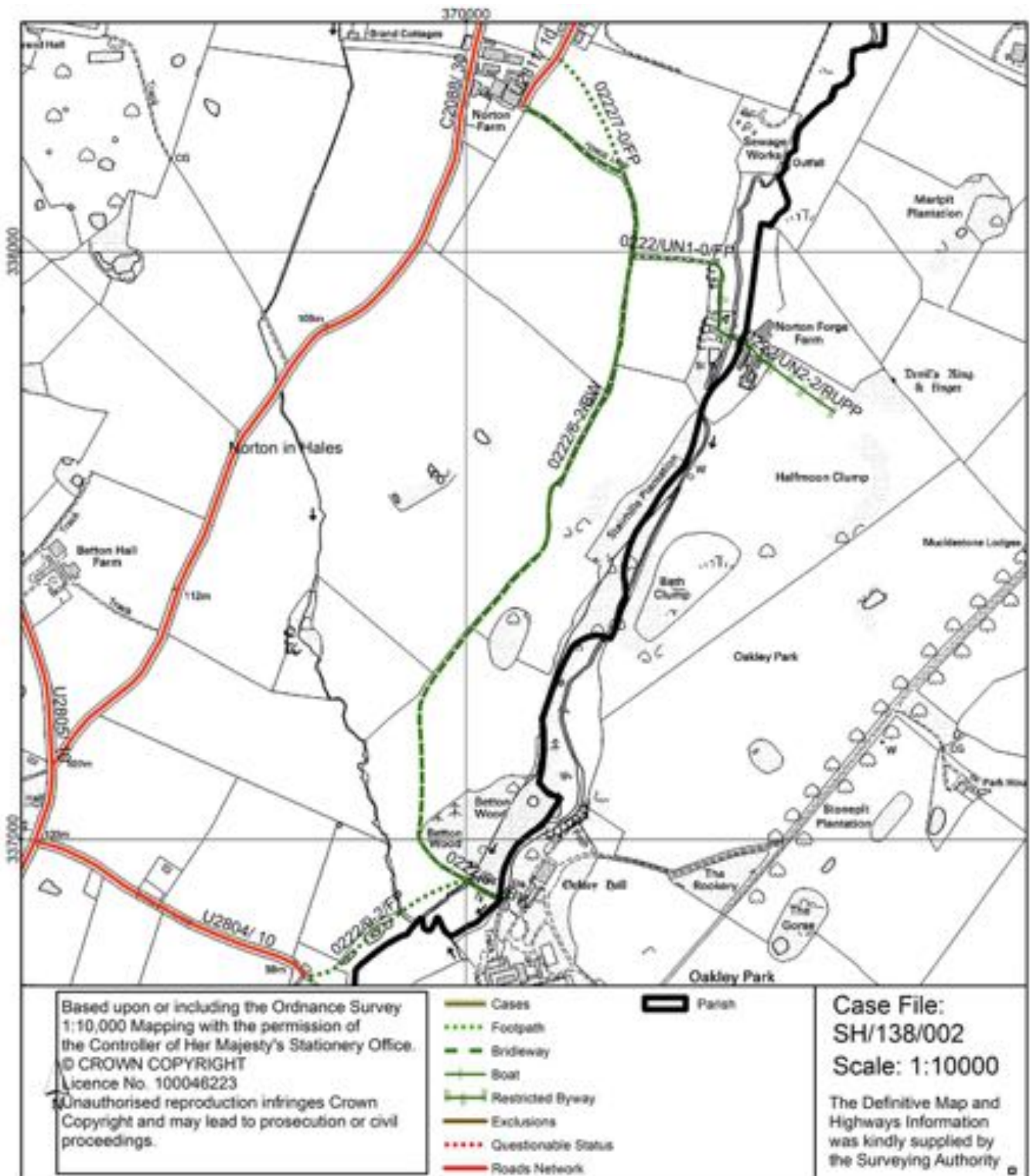
During the research process, the whole of the case file reference number SH/138/002 was identified with the case route number T000759. Both references are used in section 6 of this report. Where documents are considered to contain relevant evidence the case route number is used (in bold). Where there is no evidence the case file reference number is used (plain text)

### 3. Location Plan



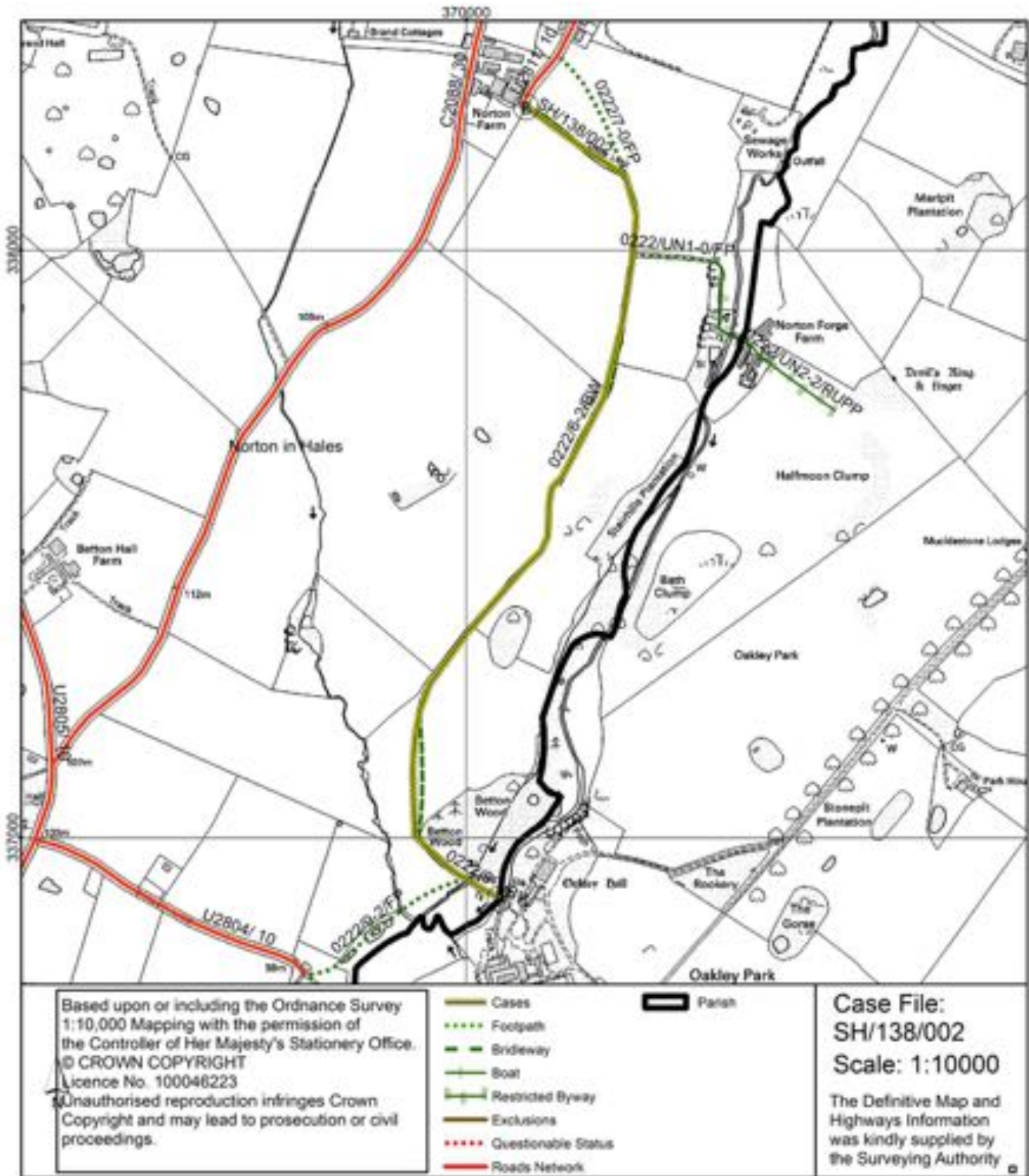


#### 4. Current Definitive Paths





## 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/138/002 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.

The section of the Norton in Hales parish covering this route was not subject to the tithe and as such no map was originally produced.

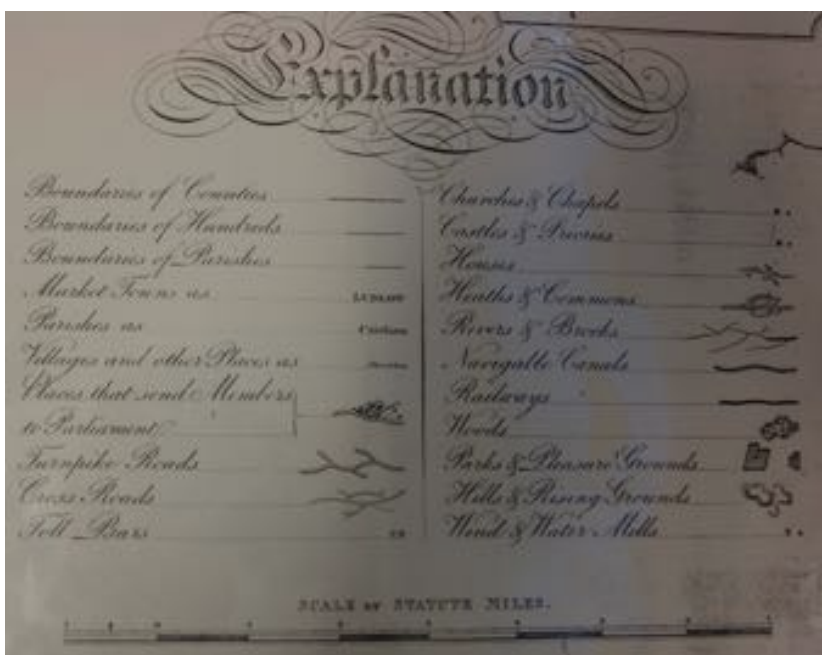
**1. Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWIS Lord Lieutenant and Custos Rotulorum of the Counties of SALOP AND MONTGOMERY This MAP of SHROPSHIRE is humbly and respectfully dedicated by his LORDSHIPS obliged and obedient Servant ROBERT BAUGH", dated 1808, demonstrates evidence for all of route T000759. The route is observed to commence north east of "Mill" on the map. The route is described in a manner which fails to confer any indication of status, i.e. as "By-roads" in the map key. The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate south of the "n" of "Norton" on the map.**





2. Ordnance Survey Surveyors Drawings, BL 209, dated 1817, demonstrates evidence for part of route T000759. The route is observed to commence west of "Oakley hall" 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 west of "Oakley hall" 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 T000759. The route is observed to commence east of "Betton" on the map. The route is shown on 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 south of "Norton" on the map.

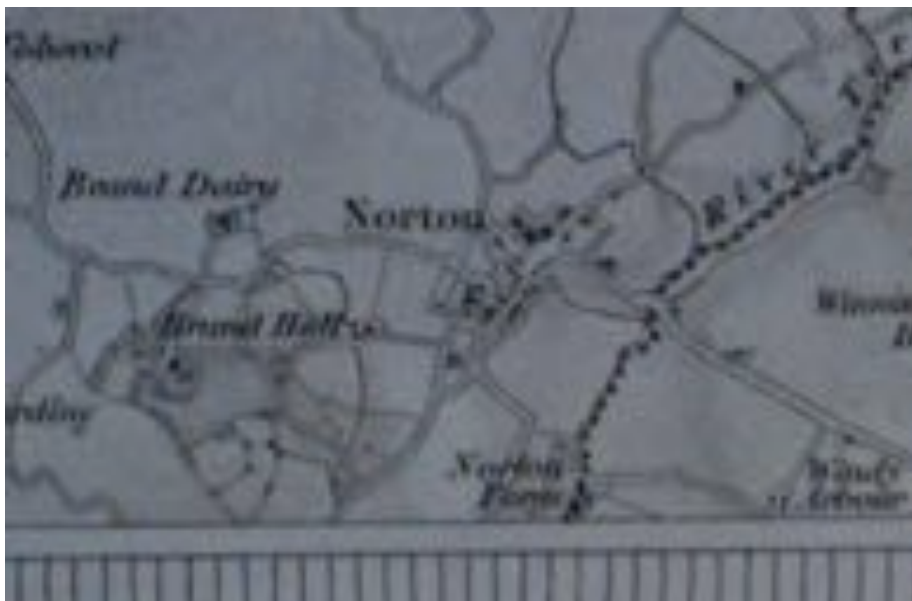




4. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1 mile, entitled "Folder 1 1833-35", dated 1833-35, demonstrates evidence for part of route T000759. The route is observed to commence at the county boundary east of "Betton" on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the top of the map north of "Oakley Hall" on the map.



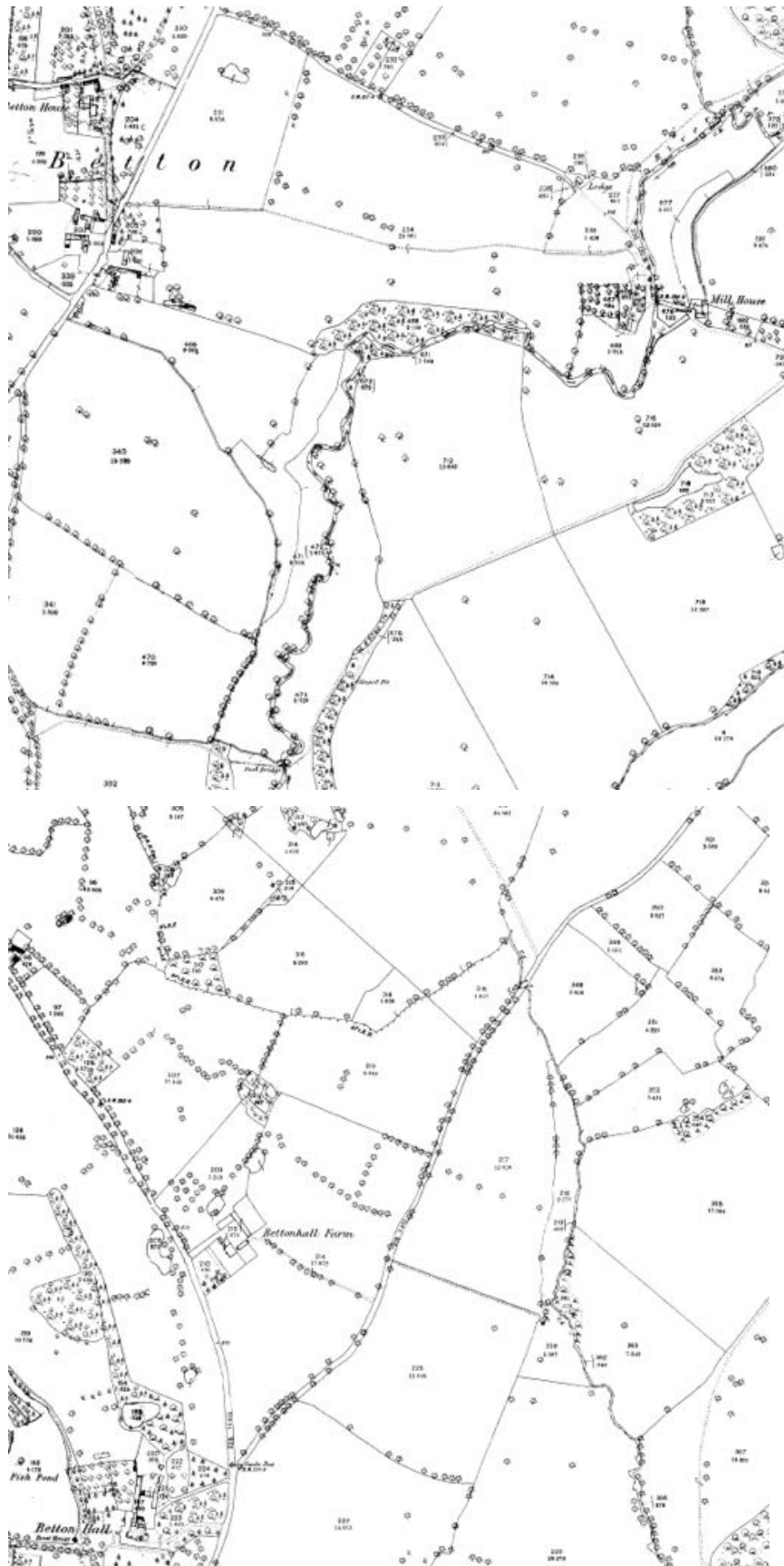
5. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1 mile, entitled "Folder 1 1833-35", dated 1833-35, demonstrates evidence for all of route T000759. The route is observed to commence to the west of "Oakley Hall" on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the bottom of the map north of the "N" of "Norton Forge".

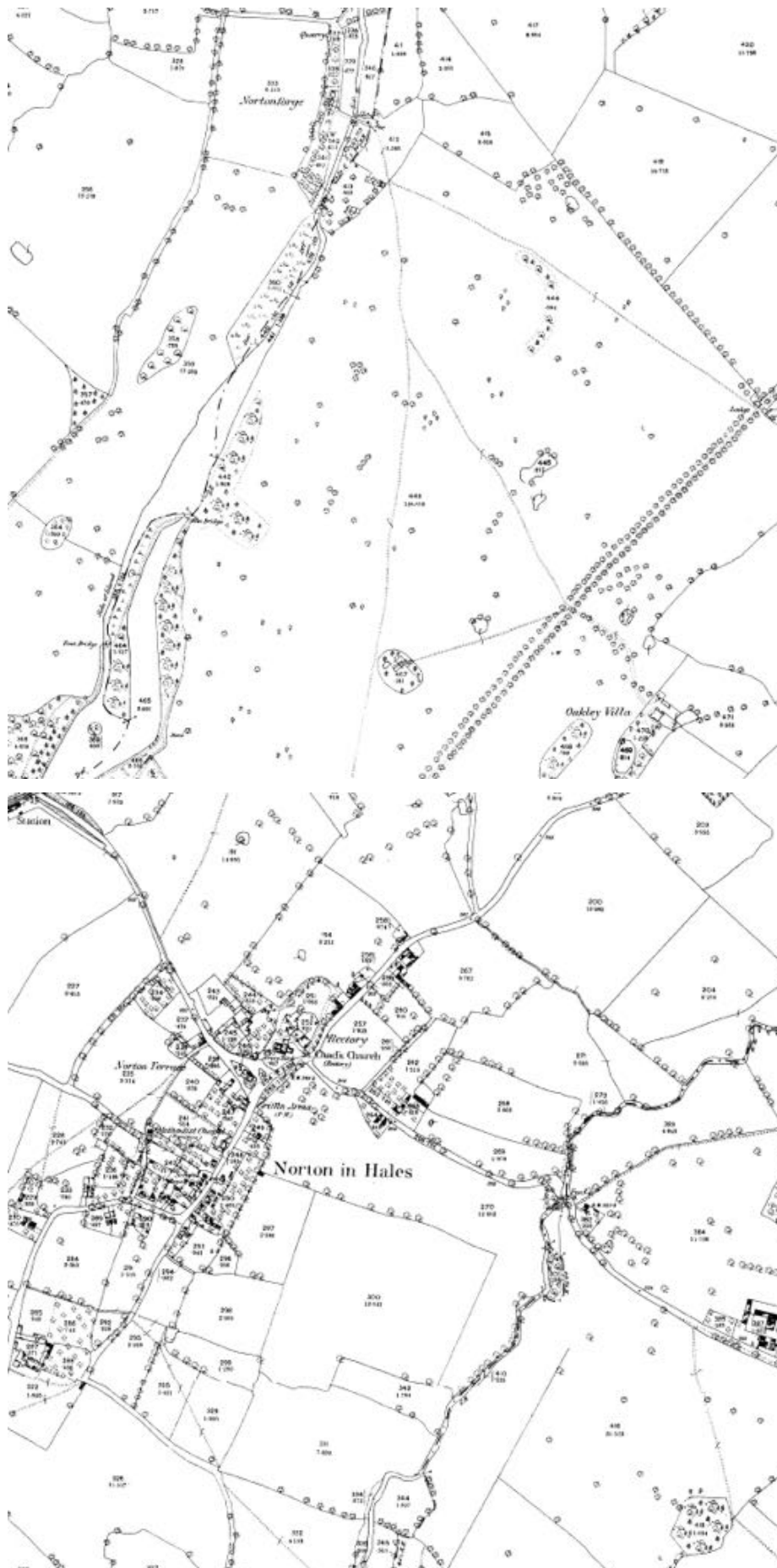




6. Ordnance Survey 25" 1st Edition, BL Vol 686 (27), entitled "Shropshire (Northern Division) IX.11 - Norton in Hales & Drayton in Hales Parishes", dated 1879, demonstrates evidence for all of route T000759. The route is observed to commence at the south east corner of parcel "371" on the map (shown on 30SJ7036). The route is shown specifically numbered on the map as "370" and 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 "371" on the map. From here the route is depicted as consisting of two parallel black lines (solid and dashed) (shown on 30SJ6936). The route is observed to change physical characteristics at the western-most point of parcel "368" on the map. From here the route is depicted as consisting of two parallel dashed black lines (shown on 30SJ6937). The route is observed to change physical characteristics at the eastern-most point of parcel "357" on the map. From the route is depicted as consisting of two parallel solid black lines and is specifically numbered on the map as "330". The route is observed to terminate at the south west corner of parcel "295" on the map (shown on 30SJ7038).

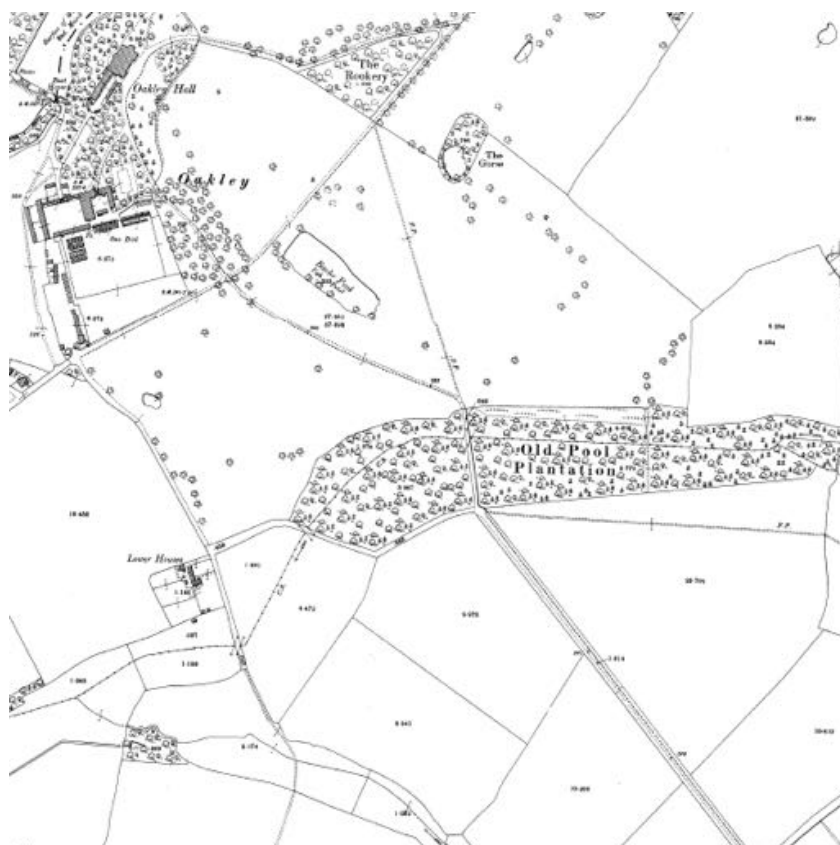




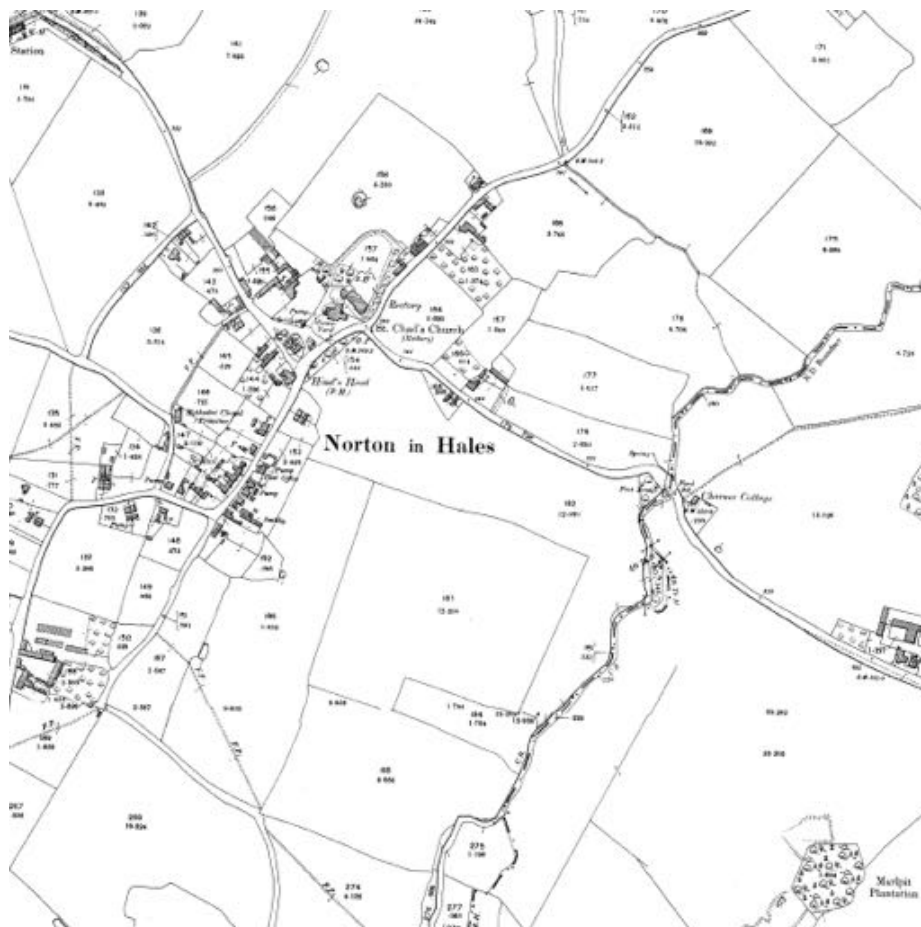
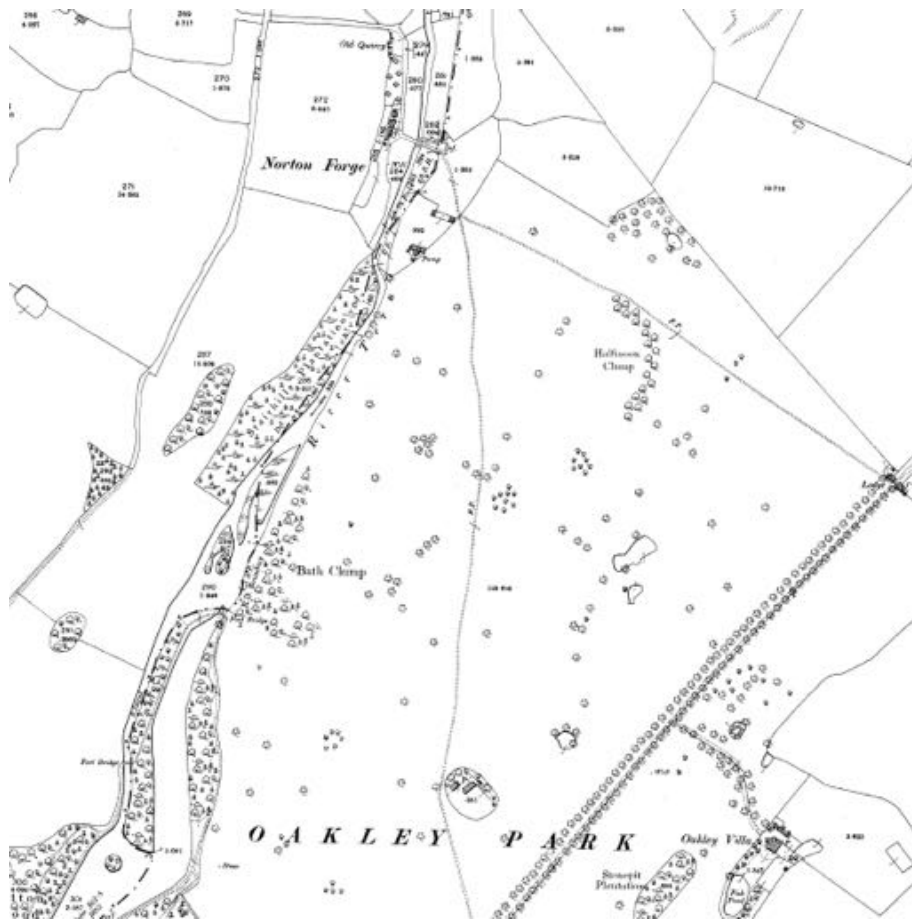


7. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Parish of Norton-in-Hales, Shropshire", dated 1880, covers the area but demonstrates no evidence for case SH/138/002.

**8. Ordnance Survey 25" 2nd Edition, BL 1598(27), entitled "Shropshire sheet IX.11", dated 1899, demonstrates evidence for all of route T000759. The route is observed to commence at the north east corner of parcel number "280" on the map (shown on 30SJ7036). 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 north west corner of parcel "304" on the map and is depicted as consisting of two parallel black lines (solid and dashed) (shown on 30SJ76936). The route is observed to change physical characteristics at the western-most point of parcel "300" on the map and is depicted as consisting of two parallel dashed black lines. The route is observed to change physical characteristics at the eastern-most point of parcel "292" on the map and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the south west corner of parcel "187" on the map (shown on 30SJ7038).**



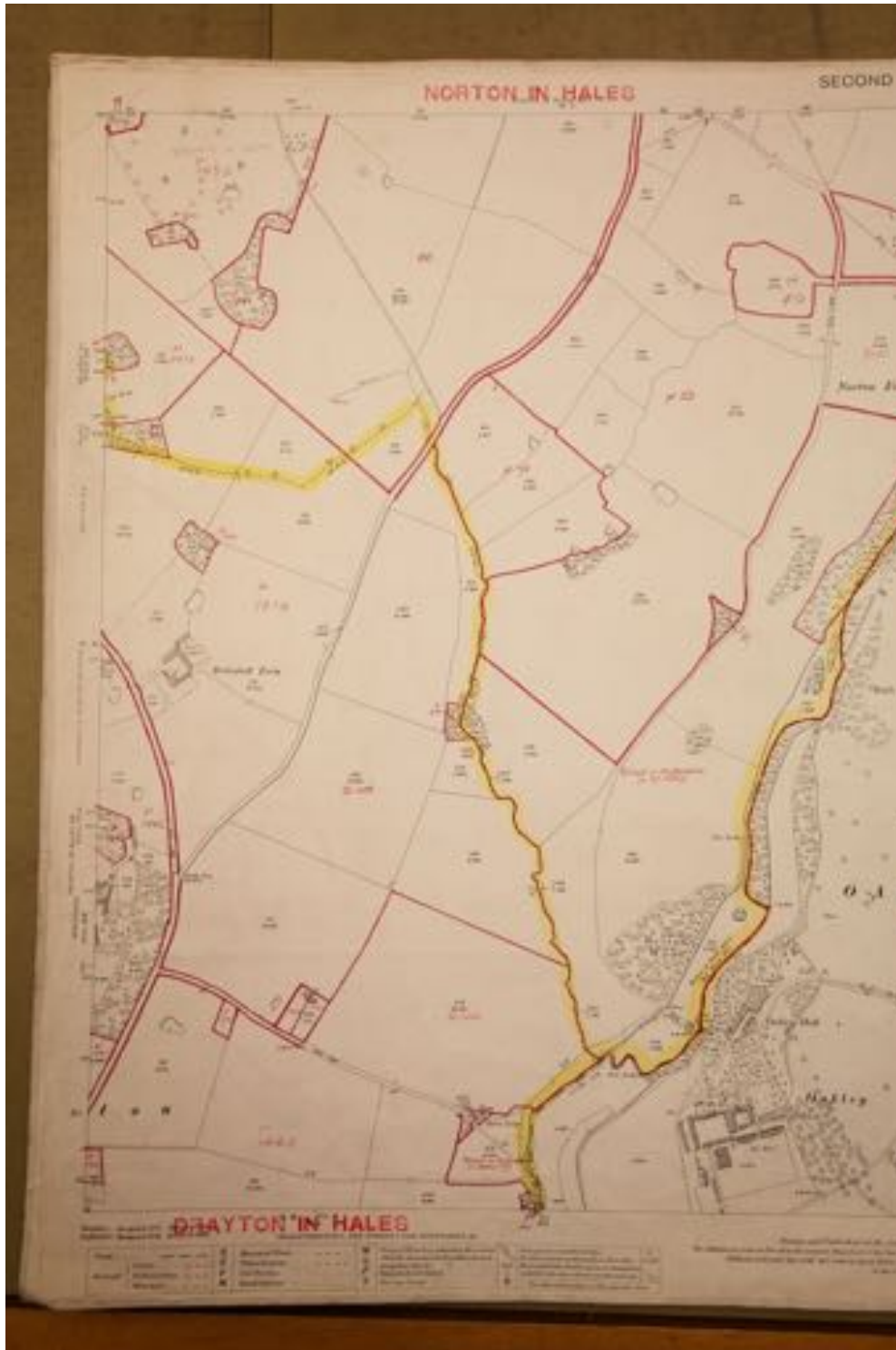






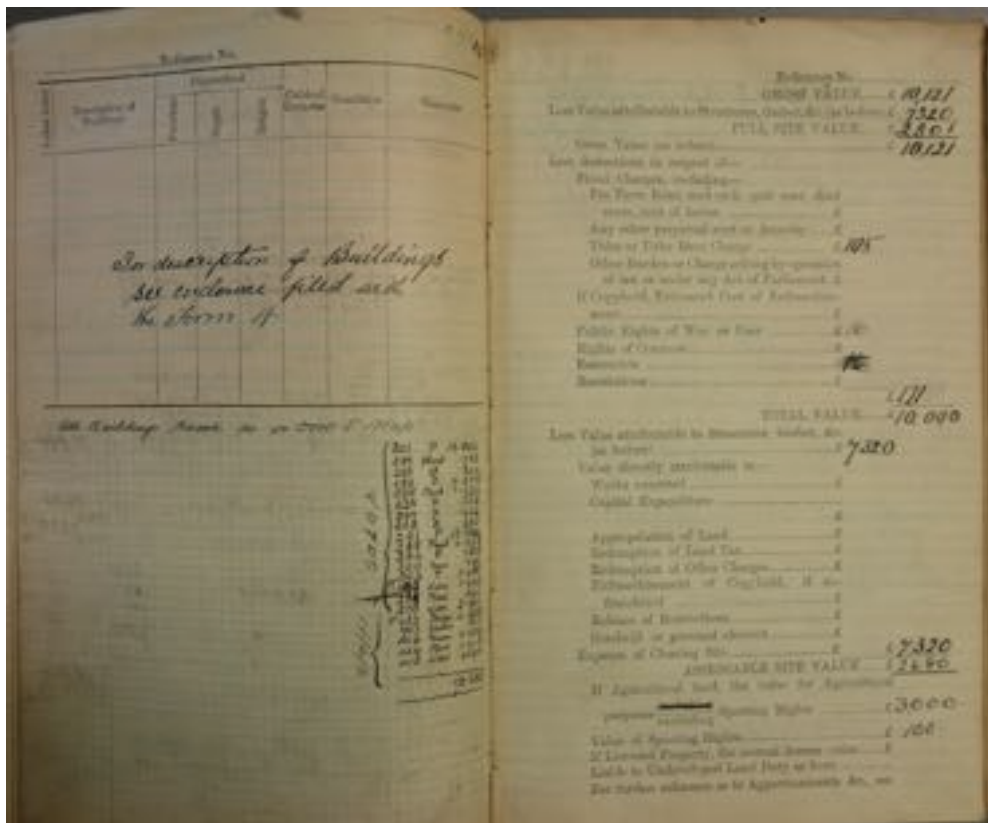
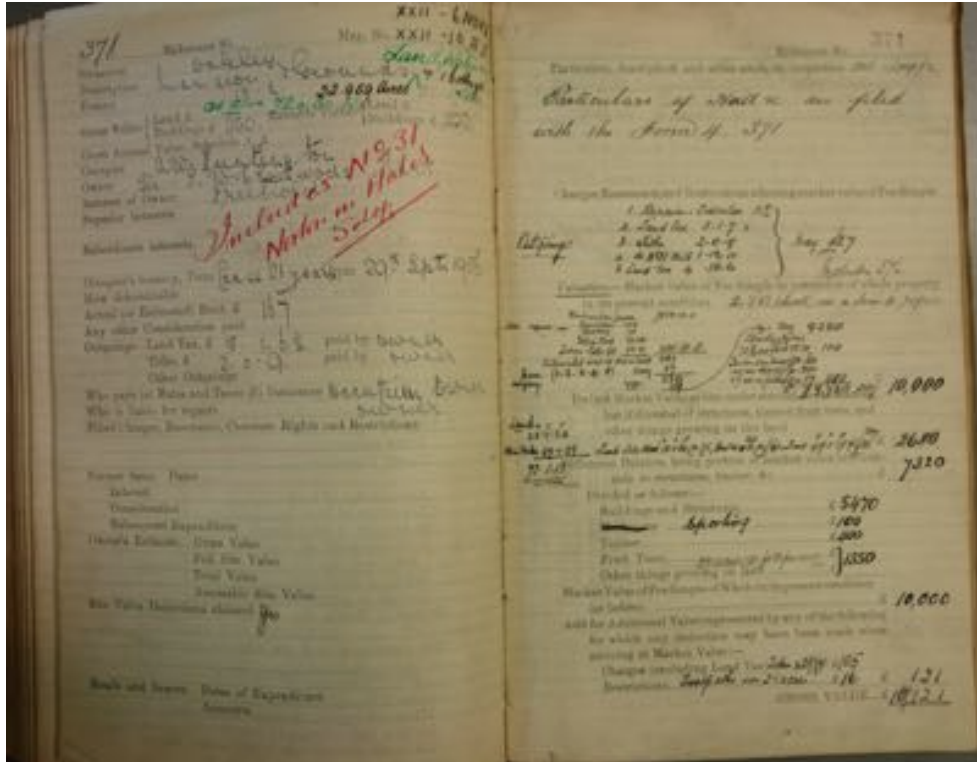
**9. Ordnance Survey 1" New Series, BL Maps 1175(134.), entitled "OS of England & Wales", dated 1902, demonstrates evidence for all of route T000759. The route is observed to commence at the county boundary on the map. The route is shown on the map depicted as consisting of two parallel solid black lines and is described in the key under the heading "3rd class metalled road". The route is observed to change its physical characteristics south east of "Bettonhall Fm." on the map. From here the route is depicted as consisting of two parallel dashed black lines and is described in the key under the heading "3rd class metalled road". The route is observed to terminate south east of "Smithy" of "Norton in Hales" on the map.**

**10. Finance Act Survey Map, TNA IR 132/4/74, entitled "Shropshire Sheet IX.11, Staffordshire Sheet XXII.6, 10 (parts of)", dated 1909/1910, demonstrates evidence for all of route T000759. The route is observed to commence at the north east corner of OS parcel number "280" on the map. The route is shown included in the hereditament(s) in this case hereditament number(s) "371". The route is observed to change Finance Act Survey annotation at the north west corner of OS parcel "287" on the map. From here the route is shown uncoloured and excluded from hereditaments. The route is observed to terminate at the south west corner of OS parcel "187" on the map.**



11. Finance Act Survey Field Book, TNA IR 58/59670, entitled "Ashley (North Staff) assessment 301-400", dated 1910, demonstrates evidence for part of route T000759. In hereditament "371" on page "2" under the heading "Restrictions" there is an entry stating "Footpaths over 25 acres £16". Although there is a deduction made for rights in this case "Footpaths over 25 acres £16" the route is described as neither public nor private. On page "4"

under the heading "Public Rights of Way or User" there is a deduction for "£16". Although a deduction for public rights of way is provided this is inadequately accounted for on the map, owing to the field book referring to the number of routes in plural.



## 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	C	SHR Map R BAUGH 1808 sheet 2 - 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	1808	6.1	NOS10	Route shown on map fits generic description of non-status specific routes as described in legend
Ordnance	C	BL Map 209	1817	6.2	OSD1	Route shown

Survey Records Surveyors Drawings						un-coloured on Ordnance Surveyors Drawing Route shown un-coloured on Ordnance Surveyors Drawing
						OSD4
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 Mall....	1827	6.3	NOS16	Shown on map and depicted or described as driving road or crossroads in key
Ordnance Survey Records 1" Old Series	C	SHR Map Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	6.4	OSM5	Route shown on OS 1" Old Series map
Ordnance Survey Records 1" Old Series	C	SHR Map Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	6.5	OSM5	Route shown on OS 1" Old Series map
Ordnance Survey Records 25" 1st Edition	C	BL Map Vol 686 (27) - Shropshire (Northern Division) IX.11 - Norton in Hales & Drayton in Hales Parishes	1879	6.6	OSM6	Route Shown on OS 1st Edition 25" Map
					OSM23	Route specifically numbered on plan
Ordnance Survey Records 25" 2nd Edition	C	BL Map 1598(27) - Shropshire sheet IX.11	1899	6.8	OSM12	Route Shown on OS 2nd Edition 25" Map
Ordnance	B(ii)	BL Maps	1902	6.9	OSM26	Route

Survey Records 1" New Series		1175(134.) - OS of England & Wales				described as '3rd class metalled road' on key or Characteristics Sheet
					OSM20	Route un-named on map
Finance Act Survey Records	B(i) part	TNA Map IR 132/4/74 - Shropshire Sheet IX.11, Staffordshire Sheet XXII.6,10 (parts of)	1909/1910	6.10	FA2	Route Included in Hdtmt
					FA1	Route excluded from Hdtmt
		TNA Field Book IR/58/59670 - Ashley (North Staff) assessment 301-400	1910	6.11	FB6	Described as neither public or private, deduction shown for ROW
					FB2	Deduction for public ROW, map not conclusive as to route.

#### 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 R BAUGH 1808 sheet 2 - 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	1808	RC12	Road
Ordnance Survey Records Surveyors Drawings	BL Map 209	1817	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 1" Old Series	SHR Map Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	RC14	Unspecified
Ordnance Survey Records 1" Old Series	SHR Map Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	RC14	Unspecified
Ordnance Survey Records 25" 1st Edition	BL Map Vol 686 (27) - Shropshire (Northern Division) IX.11 - Norton in Hales & Drayton in Hales Parishes	1879	RC14	Unspecified
Ordnance Survey Records 25" 2nd Edition	BL Map 1598(27) - Shropshire sheet IX.11	1899	RC14	Unspecified
Ordnance Survey Records 1" New Series	BL Maps 1175(134.) - OS of England & Wales	1902	RC12	Road
Finance Act Survey Records	TNA Map IR 132/4/74 - Shropshire Sheet IX.11, Staffordshire Sheet XXII.6,10 (parts of)	1909/1910	RC14	Unspecified
	TNA Field Book IR/58/59670 - Ashley (North Staff) assessment 301-400	1910	RC8	Foot path

### 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 R BAUGH 1808 sheet 2 - 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	1808	PA1	Two parallel solid black lines
			PA2	Two parallel dashed black lines
Ordnance Survey Records Surveyors Drawings	BL Map 209	1817	PA1	Two parallel solid black lines
			PA6	A single dashed black line'
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.	1827	PA1	Two parallel solid black lines

	Regent Street. Pall Mall....			
Ordnance Survey Records 1" Old Series	SHR Map Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	PA1	Two parallel solid black lines
Ordnance Survey Records 1" Old Series	SHR Map Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	PA1	Two parallel solid black lines
Ordnance Survey Records 25" 1st Edition	BL Map Vol 686 (27) - Shropshire (Northern Division) IX.11 - Norton in Hales & Drayton in Hales Parishes	1879	PA1	Two parallel solid black lines
			PA7	Two parallel black lines (solid and dashed)
			PA2	Two parallel dashed black lines
Ordnance Survey Records 25" 2nd Edition	BL Map 1598(27) - Shropshire sheet IX.11	1899	PA1	Two parallel solid black lines
			PA7	Two parallel black lines (solid and dashed)
			PA2	Two parallel dashed black lines
Ordnance Survey Records 1" New Series	BL Maps 1175(134.) - OS of England & Wales	1902	PA1	Two parallel solid black lines
			PA2	Two parallel dashed black lines

**Evidence of width:**

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

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

## 8. Overall Evaluation of Evidence

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

### Findings from the main documentary sources:

#### 1. Finance Act Survey Records

The Finance Act Survey map demonstrates evidence for the route. Part of the route is shown included in hereditament number "371". The associated field book describes a deduction made for "Footpaths over 25 acres £16". A deduction for public rights of way or user is provided in this case "£16" but this is inadequately accounted for on the map, owing to the Field Book referring to the number of routes in plural. Furthermore the field book does not make clear which 25 acres are being referred to. The remaining length of the route is shown uncoloured and excluded from hereditaments. Overall, the excluded section of the route suggests that part of the route was considered to be a public highway at the time of the Finance Act Survey, but does not in itself provide evidence about the class of rights that existed over it.

#### 2. Non-Ordnance Survey Commercial Mapping

The two Non-Ordnance Survey Commercial maps demonstrate evidence for part of the route. On Baugh's map the route is described under the heading "By-roads" in the map key. On Greenwood's map part of 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.

#### 3. Ordnance Survey Records

##### a. Ordnance Survey Surveyor's Drawings

The route is shown uncoloured on the Ordnance Surveyor's Drawings as a physical feature only

##### b. Ordnance Survey 1" Old Series

The Ordnance Survey 1" Old Series map demonstrates evidence for the route over two maps 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. Parts of the route are shown specifically numbered on the map but there is no evidence in the associated book of reference.

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 therefore the object name book has not been examined.

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 1<sup>st</sup>, 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/138/002 was included in the research scope by the Shropshire County Council during the course of research due to the discovery of evidence suggesting the existence of a public right of way.

The Finance Act Survey map demonstrates evidence for the route. Part of the route is shown included in hereditament number "371". The associated field book describes a deduction made for "Footpaths over 25 acres £16". A deduction for public rights of way or user is provided in this case "£16" but this is inadequately accounted for on the map, owing to the Field Book referring to the number of routes in plural. Furthermore the field book does not make clear which 25 acres are being referred to. The remaining length of the route is shown uncoloured and excluded from hereditaments. Overall, the excluded section of the route suggests that part of the route was considered to be a public highway at the time of the Finance Act Survey, but does not in itself provide evidence about the class of rights that existed over it.

The two Non-Ordnance Survey Commercial maps demonstrate evidence for part of the route. On Baugh's map the route is described under the heading "By-roads" in the map key. On Greenwood's map part of 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.

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 1<sup>st</sup>, 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.

Although the evidence for the route meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981, the case as a whole has been categorised as "tentative". It is considered that further evidence would be needed before a definitive map modification order application could be made to record public carriageway rights on 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**

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