

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

I/We Nicola Binns (for and on Behalf of the British Horse Society)... (Name of Applicant)

Of.....38 Corve Street..... (Address of Applicant)

.....Ludlow, SY8 1GE.....

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... Chirbury.....

Status: ~~Restricted Byway~~/ Bridleway/ Footpath*

* delete as appropriate

From: Point A SJ 281005 heading north west from Wotherton

To: Point B SJ 274013

(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 in support of this application:

See Table attached

Dated... 5 June 2020.....

Signed... .....

PRINT NAME... NICOLA BINNS.....

Data Protection: Please note that this information may be open to public examination

List of Evidence for Cross Lanes – SJ 282005 to SJ 274013

Baugh Shropshire County Map 1808	Whole route clearly shown as solid bordered road in the manner of a “byroad”	
Greenwood Shropshire County Map 1827	Whole route clearly shown as solid bordered road in the manner of “cross roads”	
County Map of Montgomery	Shows the route as a cross roads on the main Montgomery to Westbury Road	445/7
OS 1st Ed 1:2,500 1882	Clearly shown as solid bordered road coloured sienna in the same manner as other roads that are current modern roads	
OS one inch 1899	NW part of route shown as fenced Third Class Metalled Road. SE section as a fenced Unmetalled Road	
OS 6 inch 1903	Whole route clearly shown as solid bordered road in the manner of “Other Roads”. Footpath shown alongside.	
Bartholomew’s 1903	Whole road clearly shown as solid bordered uncoloured (inferior) road	
Bartholomew’s 1941	Whole road clearly shown as solid bordered uncoloured road: “Other Roads”	
Tithe Map. Plan of the townships of Wotherton and Stockton in the Parish of Chirbury 1843 Part 10	Whole route marked as solid bordered road in the same manner as other roads including the Turnpike road from Montgomery to Westbury and separate from the numbered land parcels	P62/T/3/11
Parish/Estate Maps	A Plan of the Roads Twenty Miles round Burrow Camp near Walcot in Shropshire. The NW section is shown as solid bordered road with the start of the SE section also shown	552/8/758
Finance Act 1910 – maps and Field Book	Excluded from valuation. Within Hereditament 46 the road is numbered 608 on the map – it is not included in the valuation list for the lands of that farm in the Field Book	IR 132/4/535 Shrops 47.6 IR 58/38665

The applicant requests the surveying authority to add the route to the definitive map as a bridleway. It is arguable that the evidence suggests that carriageway rights exist over the route as it appears on maps sold to the public between 1827 and 1941 and was excluded from valuation under the Tithes and the Finance Act 1910. However due to the current construction of the law and the proposed extinguishment of unrecorded rights in 2026, the application will be made for bridleway status with an acknowledgement that the surveying authority should make an order for Restricted Byway / Byway Open to All Traffic status if they consider that merited.

