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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:-

**Adding** the *bridleway* which runs from Point A (OSGR SJ6539 2331) to Point C (OSGR SJ6615  
2386) 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/172/008 BHS which contains copies of the following documents or extracts thereof:**
- Estate Map, SHR 327/5/16/20, entitled "A PLAN of certain FARMS at CHILDS ERCALL; as proposed to be Let from Ladyday 1802", dated 1802
- Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWIS (...)" dated 1808
- Ordnance Survey Surveyors Drawings, BL 209, dated 1815
- 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
- Tithe Map, TNA IR 30/29/305, entitled "Rough drafts of the Parish of Stoke upon Tern in two parts Salop", dated 1838
- Tithe Map, TNA IR 30/29/76, entitled "PLAN of the Parish of Childs Ercall in the County of Salop", dated 1840
- Ordnance Survey 25" 1st Edition, BL Vol 690 (13), entitled "Shropshire (Northern Division) Sheet XXIII.13 - Stoke Upon Tern, Hodnet, Childs Ercall & Bolas Magna parishes", dated 1880
- Ordnance Survey 25" 2nd Edition, BL 1601 (45), entitled "SECOND EDITION 1902 SHEET XXIII. 13", dated 1900
- Finance Act Survey Map, TNA IR 132/4/251, entitled "Shropshire Sheet XXIII.13 - Second Edition 1902"

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

Signed:



Date: 23/09/2020

Wildlife and Countryside Act 1981

**Map to Accompany  
Definitive Map Modification Order Application**

For a route at Eaton Grange in the Parish of Stoke upon Tern, Shropshire to be shown as a Public Bridleway

*Applicant's Reference: DLW SH/172/008*



*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**

<b>Case File Ref. No.</b>	SH/172/008
<b>Name</b>	Un-named
<b>Historic County</b>	Shropshire
<b>Sub-Unit</b>	Shropshire Sub-unit 1
<b>Parish(es)</b>	Stoke upon Tern & Childs Ercall
<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>	971 metres
<b>OS 1:10,000 Sheet(s)</b>	SJ62SE
<b>Grid Ref (start)</b>	SJ6539 2331
<b>Grid Ref (end)</b>	SJ6615 2386
<b>ARU ASSESSMENT OUTCOME</b>	
<b>Status/Class</b>	Public carriageway
<b>Strength</b>	Strong
<b>Comment</b>	Shown un-coloured and excluded from hereditaments and described as 2 <sup>nd</sup> class road on 1 <sup>st</sup> Revised 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/172/008 was included in the research scope by the ARU 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 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. Two Non-Ordnance Survey Commercial maps demonstrate evidence for the route. The route is described under the heading "By-roads" in the key on Baugh's map. On Greenwood's map the route is described under the heading "Turnpike Roads" in the map key. Length B – C of the case file route is also shown as a through-route on the Tithe Survey map.

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 "2nd class metalled roads" in the map key. 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 class of public carriageway is therefore considered to be appropriate.

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 therefore been categorised as "Strong", supporting the making of a definitive map modification order application to add the route to the definitive map. However, as a consequence of the construction of the wartime airfield the case file route may have been stopped up. It is recommended that further research is conducted to determine whether the case file route has been stopped up and replaced by the through-route that now runs north of length A – B of the case file route.

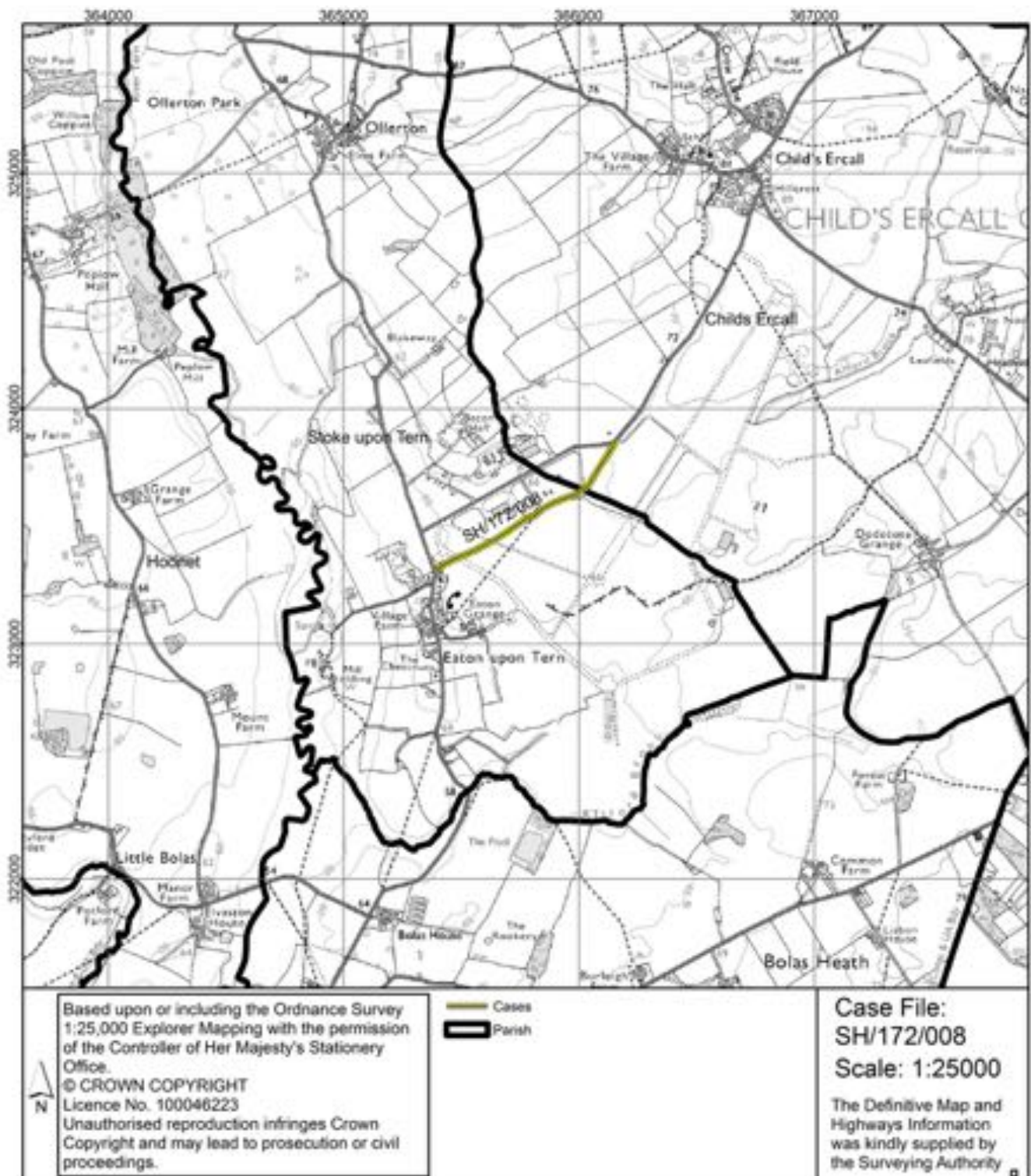
## 2. Description of Route

The route begins at a junction with C2085/50 (the reference given on Shropshire County Council's List of Streets) at coordinate SJ6539 2331 (point A on the Case File Route Map). The route then heads in a north easterly direction to coordinate SJ6601 2365 (point B on the Case File Route Map). From here the route continues in a north easterly direction to where it terminates at a junction with U3243/10 (the reference given on Shropshire County Council's List of Streets) at coordinate SJ6615 2386 (point C on the Case File Route Map).

The route has a length of 971 metres.

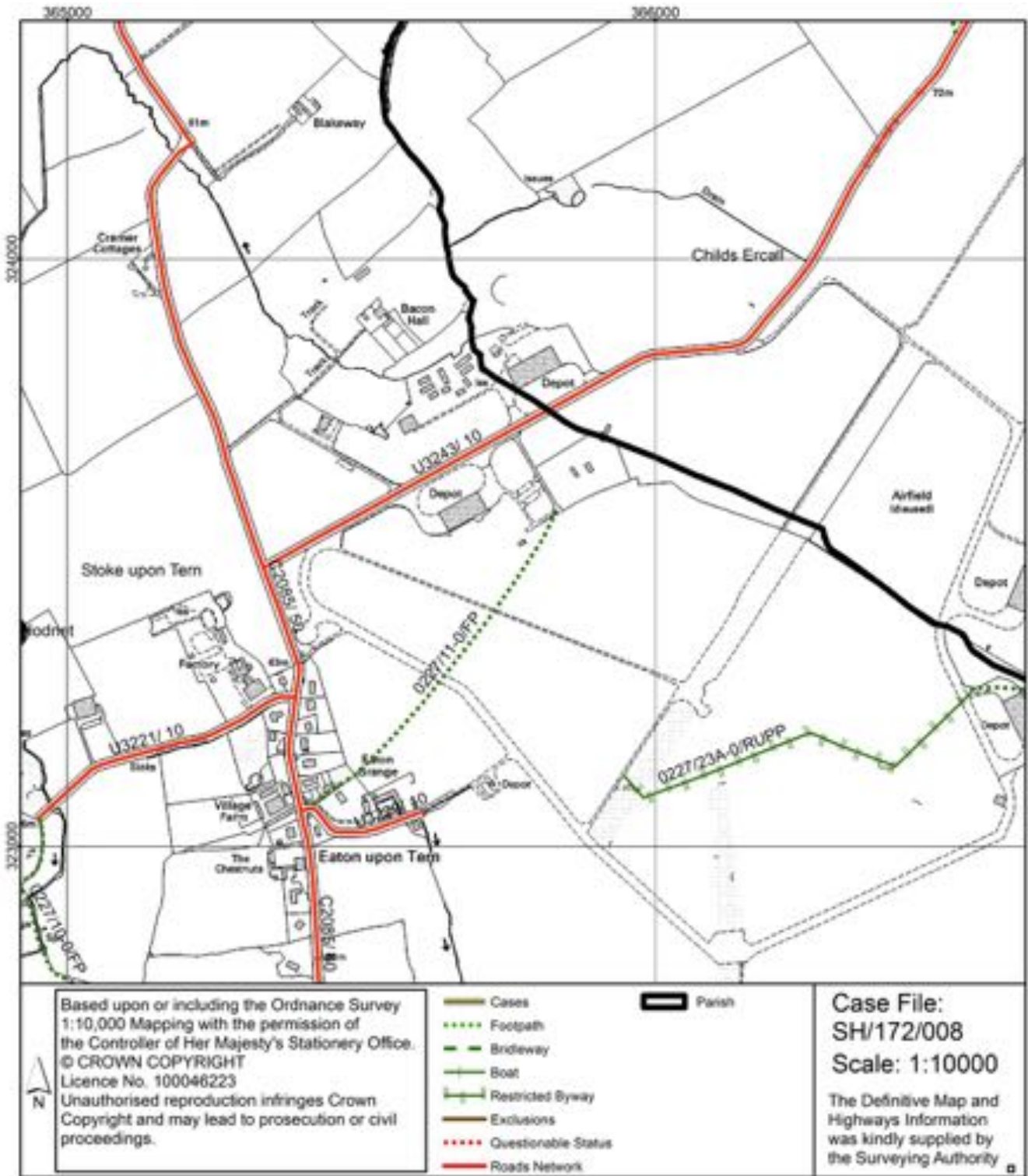
During the research process, the whole of the case file reference number SH/172/008 was identified with the case route numbers STK7 and CE1. All three references are used in section 6 of this report. Where documents are considered to contain relevant evidence the case route number is used (in bold). Where there is no evidence the case file reference number is used (plain text)

### 3. Location Plan



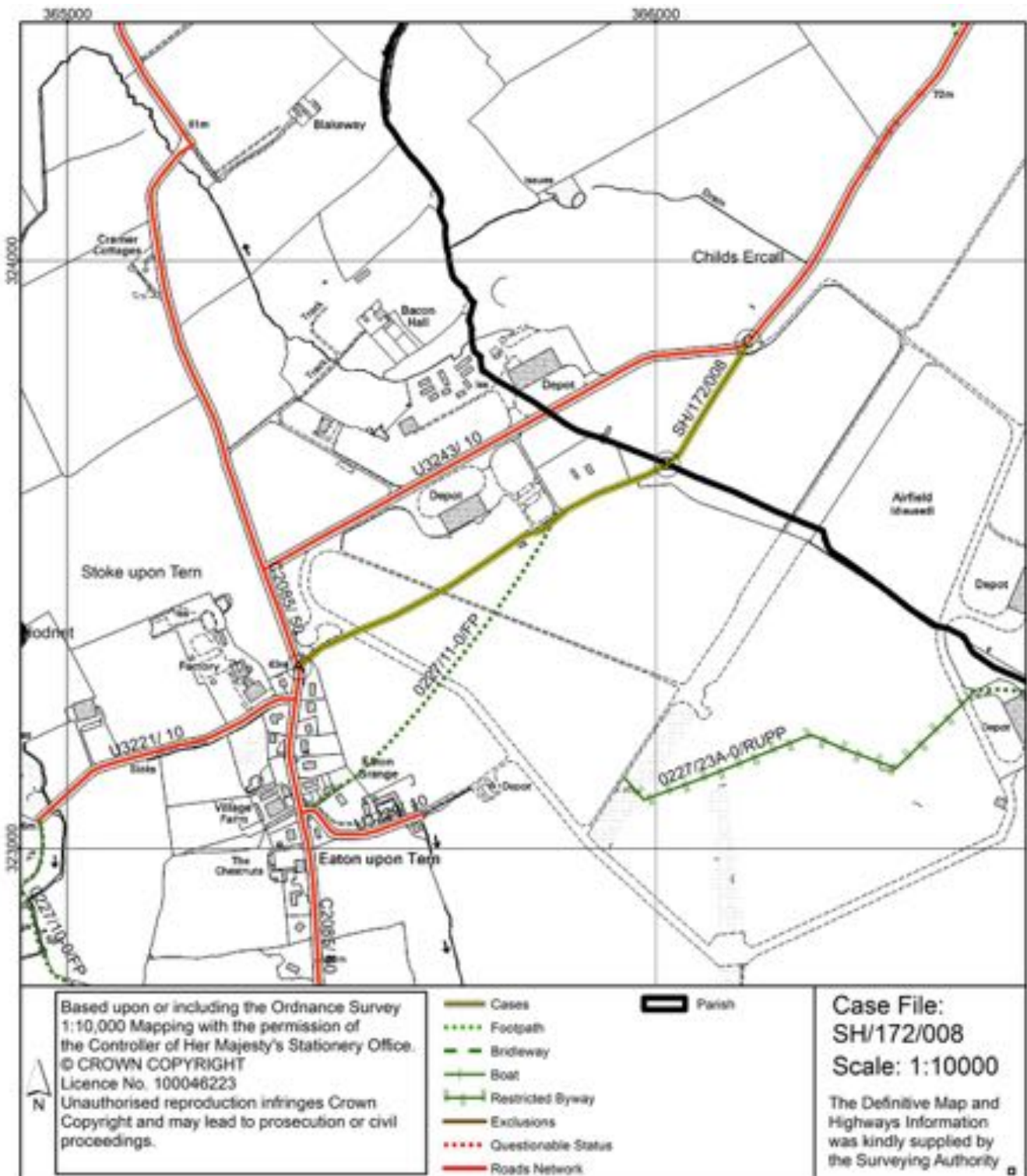


#### 4. Current Definitive Paths





## 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/172/008 are shown in **bold**. This information is arranged in a standard format as follows:

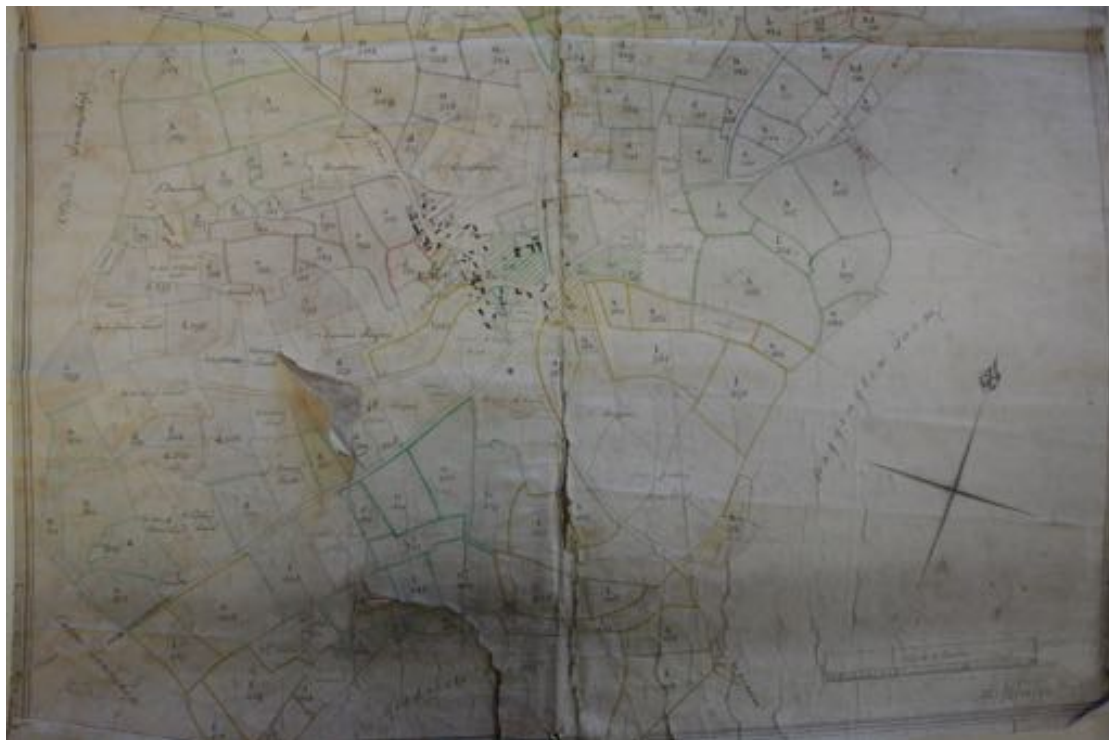
Document Type, the Archive Reference Code, followed by the Document Reference Code, the Title and Date.

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. Estate Map, SHR 327/5/16/20, entitled "A PLAN of certain FARMS at CHILDS ERCALL; as proposed to be Let from Ladyday 1802", dated 1802, demonstrates evidence for part of route CE1 (B – C). The route is observed to commence at the south west corner of parcel "n312" 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. The route is shown as a through route and is labelled on the map as "FROM WELLINGTON". The route is observed to terminate at the south east corner of parcel "J313" on the map.**



**2. 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 STK7 and CE1 (A – C). The route is observed to commence at a junction with another route to the north west of the "E" of the**

label "Eaton" 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 and is depicted as consisting of two parallel solid black lines. The route is observed to terminate north of the "t" of "Eaton" on the map.



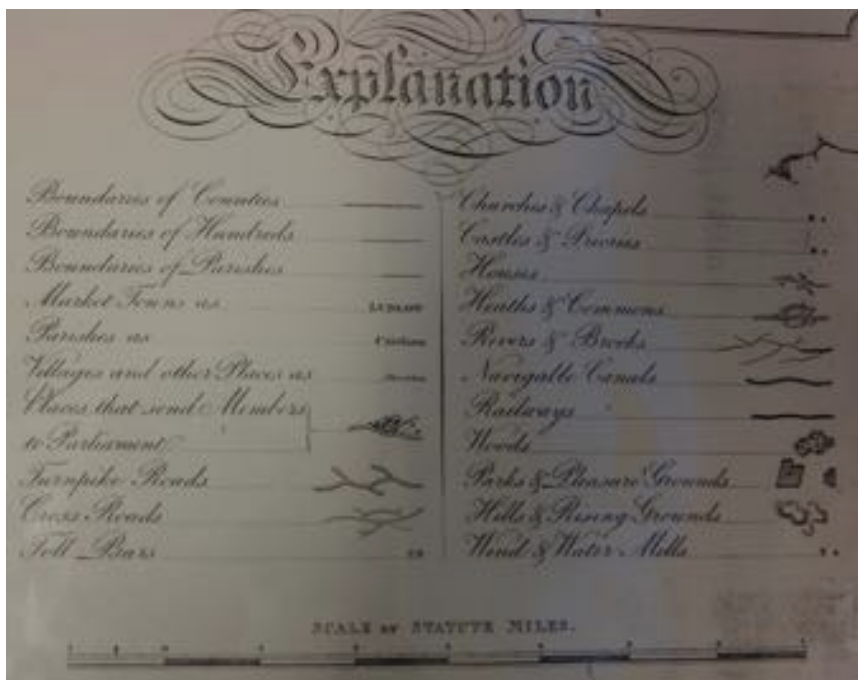
3. Ordnance Survey Surveyors Drawings, BL 209, dated 1815, demonstrates evidence for all of route STK7 and CE1 (A – C). The route is observed to commence at a junction with another route to the north west of the letter “E” of

"Eaton Upon Tern" 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 north of the "w" of "Crows Nest" on the map



4. 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 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 STK7 and CE1 (A – C). The route is observed to commence at a junction with another route to the north west "E" of the label "Eaton" on the map. The route is shown on map depicted as consisting of one bold and one fine solid parallel black line and described as "Turnpike Roads" in the map key. The route is observed to terminate north of the letter "o" of "Eaton" 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 STK7 and CE1 (A – C). The route is observed to commence at a junction with another route to the north west of the Letter "E" of the label "Eaton Upon Tern" on the map. The route is shown on the map and is depicted as consisting of one bold and one fine parallel solid black lines. The route is observed to terminate north of the first letter "s" of "Crows Nest" on the map.





6. Tithe Map, TNA IR 30/29/305, entitled "Rough drafts of the Parish of Stoke upon Tern in two parts Salop", dated 1838, demonstrates evidence part of route STK7 (A – B). The route is observed to commence at the south west corner of parcel "1180" on the map. The route is shown on the map un-numbered and not within a numbered parcel and is depicted as consisting of two parallel solid black lines (in-filled). The route is observed to terminate at the north east corner of parcel "1203" on the map.



7. Tithe Apportionment, TNA IR 29/29/76, entitled "Apportionment of the Rent Charge in Lieu of Tithes in the Parish of Childs Ercall in the County of Salop", dated 1839, covers the area but demonstrates no evidence for case SH/172/008.

**8. Tithe Map, TNA IR 30/29/76, entitled "PLAN of the Parish of Childs Ercall in the County of Salop", dated 1840, demonstrates evidence for all of route CE1 (B – C). The route is observed to commence to the east of the letter "n" of the label "From Wellington" 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. The route is shown as a through-route and is labelled on the map as "From Wellington". The route is observed to terminate at the south west corner of parcel "344" on the map.**



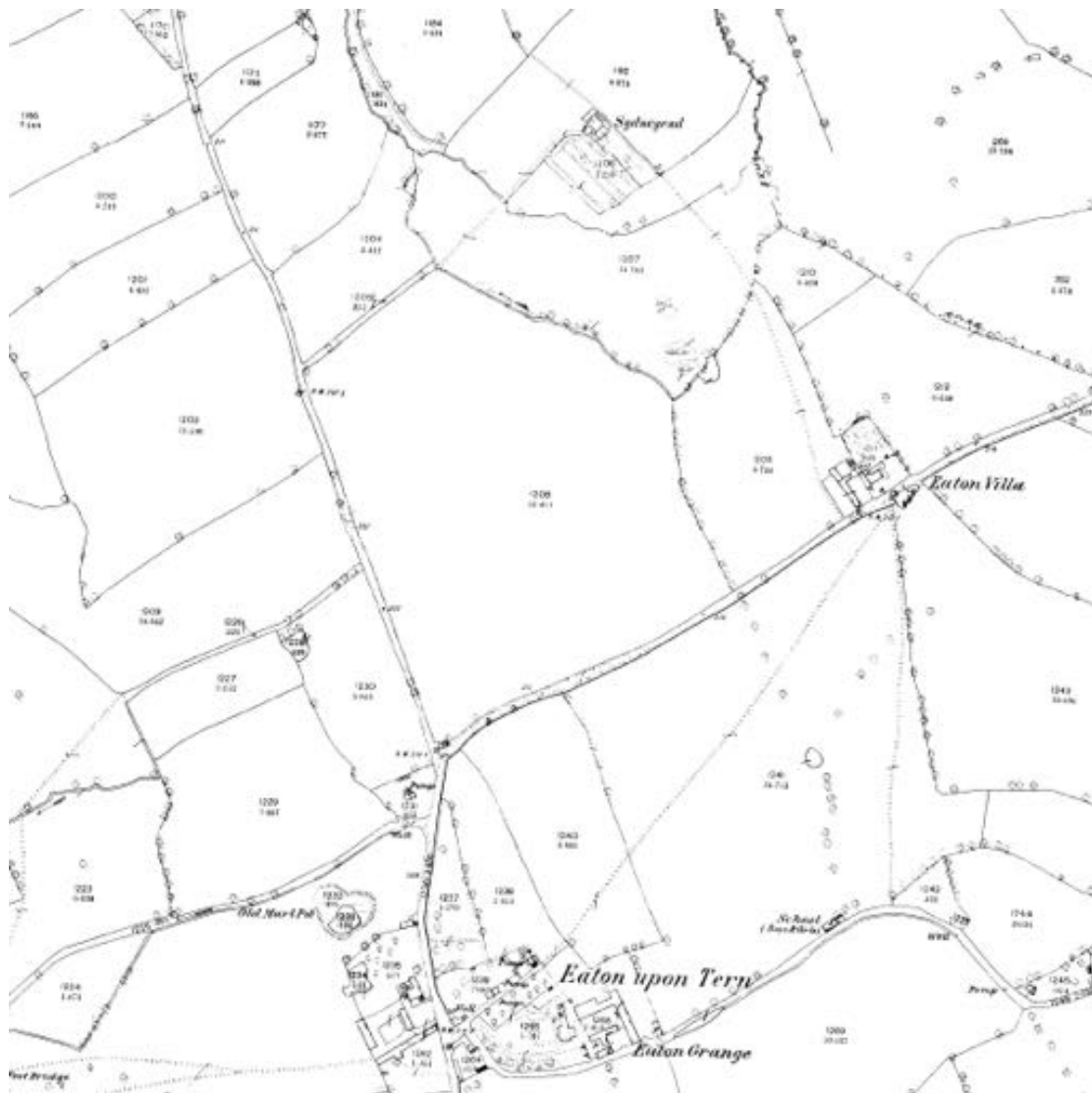


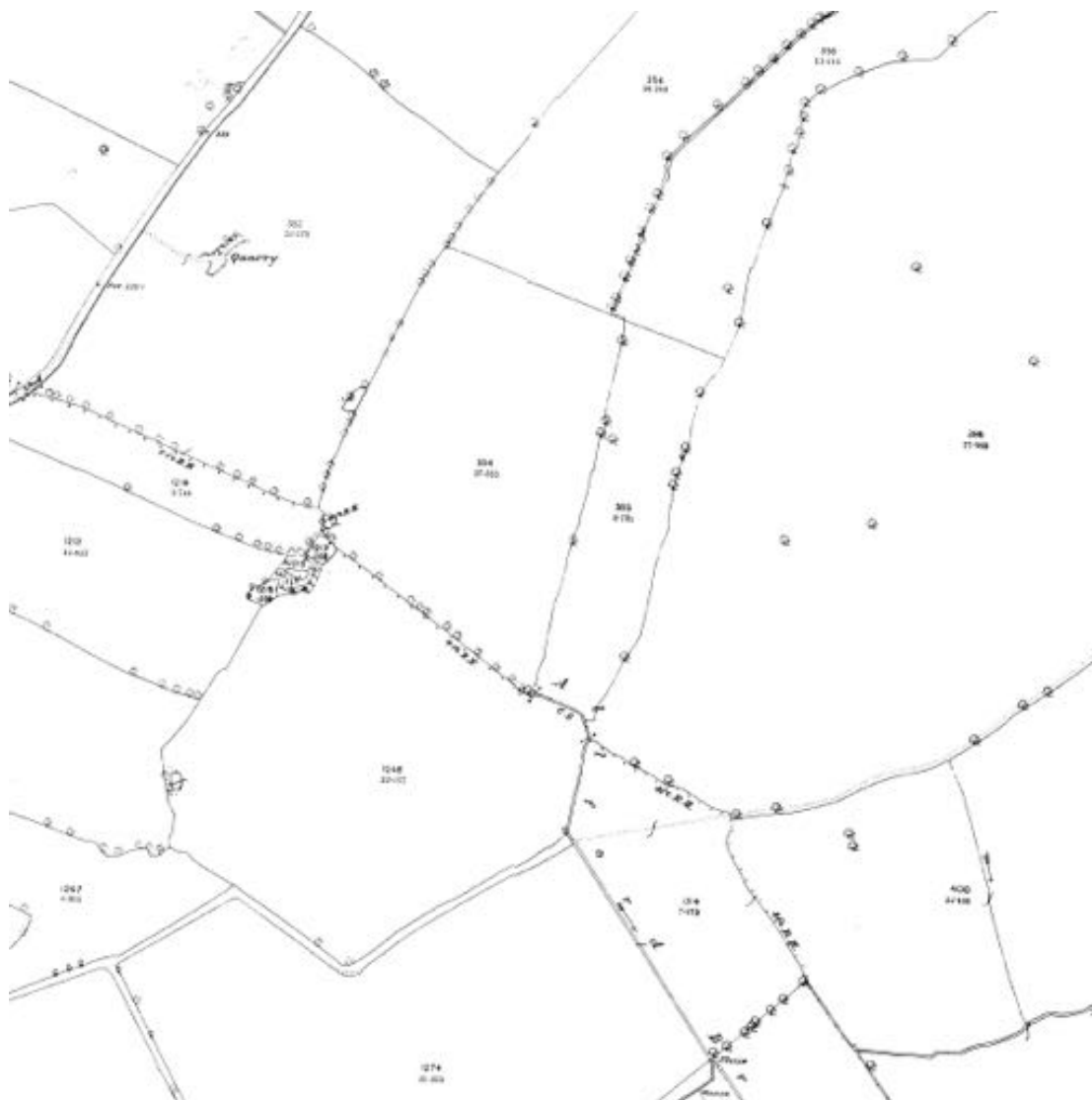
9. Railway Book of Reference, SHR DP/423, entitled "WELLINGTON AND DRAYTON RAILWAY "EXTENSIONS TOWARDS MANCHESTER" "ALTERATIONS OF AUTHORIZED LINE &c." ", dated November 1862, covers the area but demonstrates no evidence for case SH/172/008.

10. Railway Plan, SHR DP/423, entitled "Wellington and Drayton Railway (Deviation) Plan and Section", dated November 1863, covers the area but demonstrates no evidence for case SH/172/008.

**11. Ordnance Survey 25" 1st Edition, BL Vol 690 (13), entitled "Shropshire (Northern Division) Sheet XXIII.13 - Stoke Upon Tern, Hodnet, Childs Ercall & Bolas Magna parishes", dated 1880, demonstrates evidence for all of route STK7 and CE1 (A – C). The route is observed to commence at a junction with another route to the south west corner of parcel "1208" on the map (shown on 30SJ6523). The route is shown on the map and depicted as consisting of two parallel solid lines with two dashed black lines running along the centre. The route is described as "Main Roads" in the 6" and 25" Ordnance Survey Characteristics Sheet. The route is observed to change physical characteristics to the south east of parcel "1208" and from here is depicted as consisting of two parallel dashed black lines. The route is again observed to**

change in physical characteristics at to the south east of parcel “1209.” From here the route is depicted as consisting of two parallel solid black lines with a single dashed line running of centre. The route is again observed to change in physical characteristics at the south west corner of parcel “1214” and from here is depicted as consisting of two parallel solid black lines with two dashed black lines running along the centre. The route is observed to terminate at a to the north west of the letter “Q” of the label “Quarry” on the map (30SJ6623).





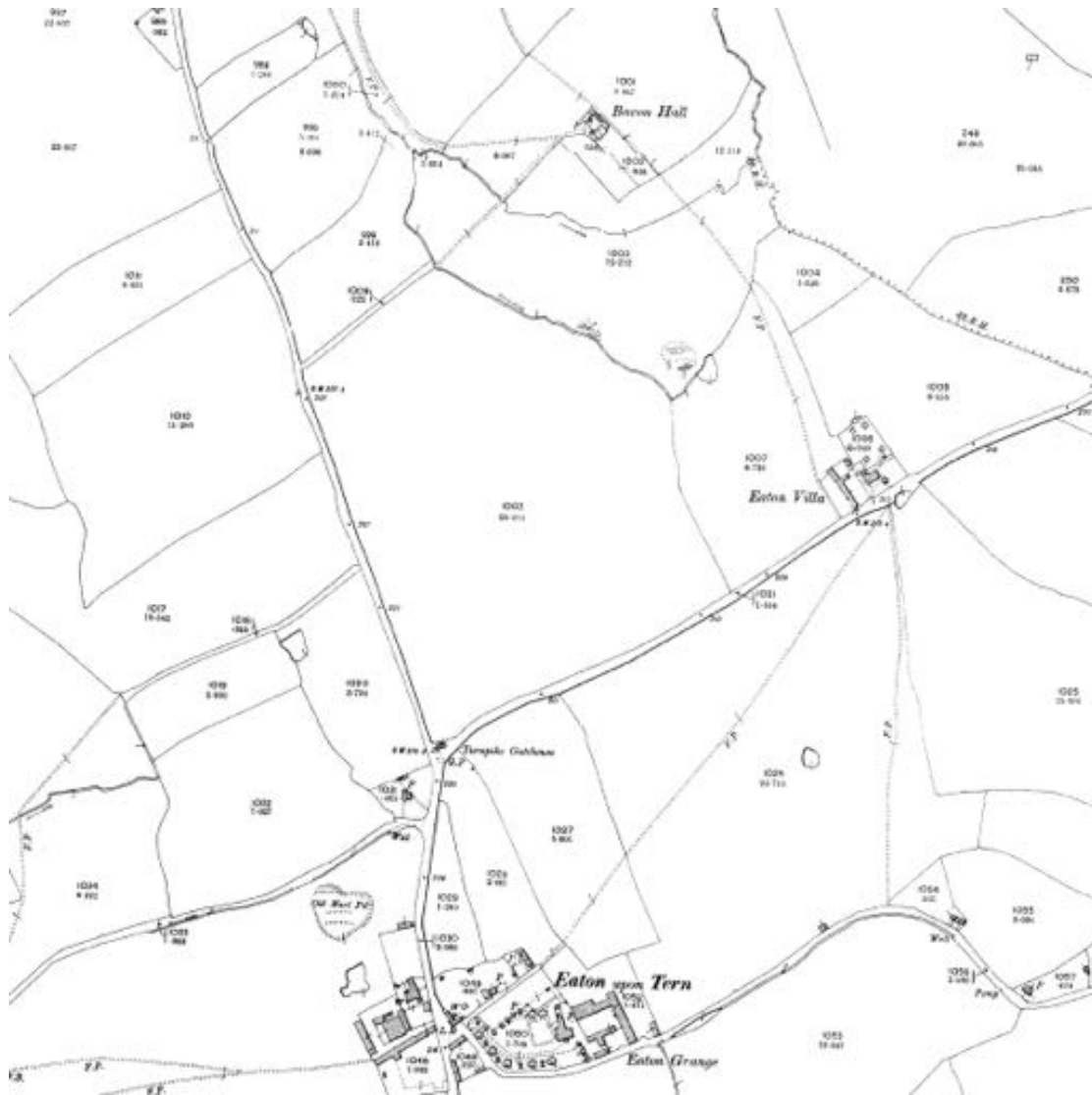
12. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Stoke upon Tern, Shropshire-(Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/172/008.

13. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Childs Ercall, Shropshire-(Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/172/008.

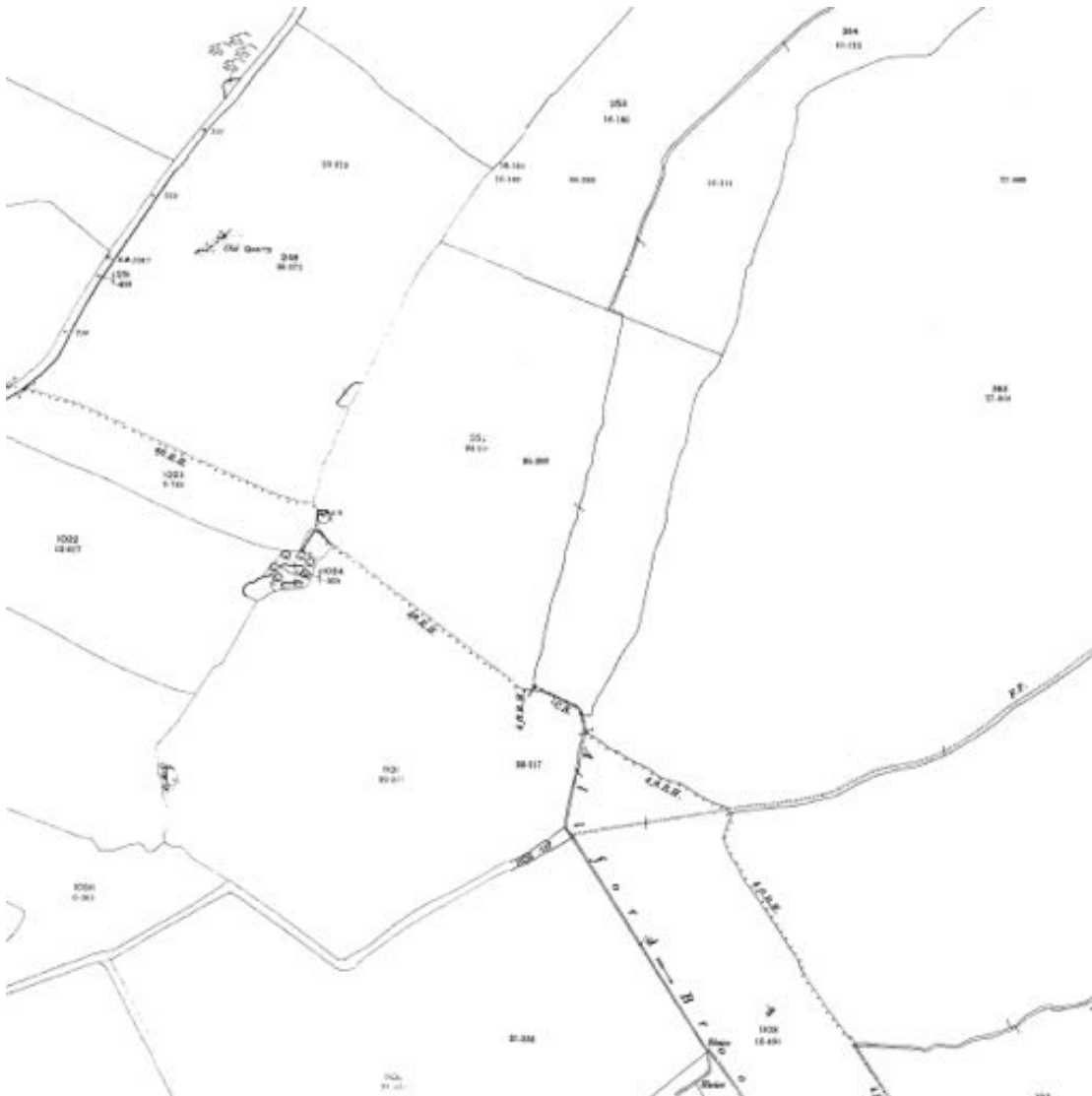
#### 14. Ordnance

Survey 25" 2nd Edition, BL 1601 (45), entitled "SECOND EDITION 1902 SHEET XXIII. 13", dated 1900, demonstrates evidence for all of route STK7 and CE1 (A – C). The route is observed to commence at the south west corner of

parcel "1008" on the map. The route is depicted by one bold and one fine parallel black line on the map and is described as "Main Roads" on the 25" Ordnance Survey Characteristics Sheet. The route is shown on the map but is un-named. The route is observed to terminate midway on the western side of parcel "248" 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 STK7 and CE1 (A – C). The route is observed to commence north "Eaton upon Tern" on the map. The route is described as a 2nd Class metalled roads in the key: "Metalled Roads: "Second Class - Fenced" and is depicted as consisting of one bold and one fine solid parallel black line. The route is shown on the map but is un-named. The route is observed to terminate north of the "n" of "Eaton Villa" on the map.

16. Finance Act Survey Map, TNA IR 132/4/251, entitled "Shropshire Sheet XXIII.13 - Second Edition 1902", demonstrates evidence for all of route STK7 and CE1 (A – C). The route is observed to commence at the south west corner of OS parcel "1008" on the map. The route is shown uncoloured and excluded

from hereditaments. The route is observed to terminate at the north west corner of OS parcel “248” on the map.



## 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
Estate Records	B(ii)	SHR Map 327/5/16/20 - A PLAN of certain FARMS at CHILDS ERCALL; as proposed to be Let from Ladyday 1802	1802	6.1	EM2	Shown on map un-numbered and not contained within numbered parcel
					EM5	Annotated as 'to' or 'from' or named i.e High Street

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	6.2	NOS10	Route shown on map fits generic description of non-status specific routes as described in legend
Ordnance Survey Records Surveyors Drawings	C	SHR 320 (E) - PART of SHROPSHIRE	1815	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

Non-OS Commercial Mapping	B(ii)	SHR Map GREENWOODS 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1816 & 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	6.4	NOS14	Route shown on map and depicted or described as Turnpike, Postal, Driving Road etc in key / legend on 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
Tithe Survey Records	C	TNA Map IR/30/29/305 - Rough drafts of the Parish of Stoke upon Tern in two parts Salop	1838	6.6	TM3	Route shown on map not numbered specifically or within numbered parcel
Tithe Survey Records	C	TNA Map IR/30/29/76 - PLAN of the Parish of Childs Ercall in the County of Salop	1840	6.8	TM3	Route shown on map not numbered specifically or within numbered parcel
					TM6	Annotated 'to', 'from' or named, 'High St'
Ordnance Survey Records 25" 1st Edition	C	BL Map Vol 690 (13) - Shropshire (Northern Division) Sheet XXIII.13 - Stoke Upon Tern, Hodnet, Childs Ercall & Bolas Magna parishes	1880	6.11	OSM2	Route un-named on map
					OSM3	Route described as 'Main Roads' in the 6" and 25" OS Characteristics sheet
Ordnance Survey Records 25" 2nd Edition	C	BL Map 1601 (45) - SECOND EDITION	1900	6.14	OSM9	Route un-named on map

		1902 SHEET XXIII. 13.			OSM10	Route described as 'Main Roads' on 25" Ordnance Survey Characteristics Sheet
Ordnance Survey Records 1" New Series	B(ii)	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	6.15	OSM21	Route described as 2nd Class metalled road in key or Characteristics Sheet
					OSM20	Route unnamed on map
Finance Act Survey Records	B(i)	TNA Map IR 132/4/251 - Shropshire Sheet XXIII.13 - Second Edition 1902	Date Not Known	6.16	FA1	Route excluded from Hdtmt

#### 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
Estate Records	SHR Map 327/5/16/20 - A PLAN of certain FARMS at CHILDS ERCALL; as proposed to be Let from Ladyday 1802	1802	RC14	Unspecified



<p>Non-OS Commercial Mapping</p>	<p>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</p>	<p>1808</p>	<p>RC12</p>	<p>Road</p>
<p>Ordnance Survey Records Surveyors Drawings</p>	<p>SHR 320 (E) - PART of SHROPSHIRE</p>	<p>1815</p>	<p>RC14</p>	<p>Unspecified</p>

Non-OS Commercial Mapping	SHR Map GREENWOODS 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1816 & 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
Tithe Survey Records	TNA Map IR/30/29/305 - Rough drafts of the Parish of Stoke upon Tern in two parts Salop	1838	RC14	Unspecified
Tithe Survey Records	TNA Map IR/30/29/76 - PLAN of the Parish of Childs Ercall in the County of Salop	1840	RC14	Unspecified
Ordnance Survey Records 25" 1st Edition	BL Map Vol 690 (13) - Shropshire (Northern Division) Sheet XXIII.13 - Stoke Upon Tern, Hodnet, Childs Ercall & Bolas Magna parishes	1880	RC12	Road
Ordnance Survey Records 25" 2nd Edition	BL Map 1601 (45) - SECOND EDITION 1902 SHEET XXIII. 13.	1900	RC12	Road
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 132/4/251 - Shropshire Sheet XXIII.13 - Second Edition 1902	Date Not Known	RC14	Unspecified
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**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
Estate Records	SHR Map 327/5/16/20 - A PLAN of certain FARMS at CHILDS ERCALL; as proposed to be Let from Ladyday 1802	1802	PA1	Two parallel solid black lines
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

Ordnance Survey Records Surveyors Drawings	SHR 320 (E) - PART of SHROPSHIRE	1827	PA1	Two parallel solid black lines
Non-OS Commercial Mapping	SHR Map GREENWOODS 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1816 & 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	PA11	One bold and one fine solid parallel 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
Tithe Survey Records	TNA Map IR/30/29/305 - Rough drafts of the Parish of Stoke upon Tern in two parts Salop	1838	PA3	Two parallel solid black lines (in-filled)
Tithe Survey Records	TNA Map IR/30/29/76 - PLAN	1840	PA3	Two parallel solid black lines (in-filled)

	of the Parish of Childs Ercall in the County of Salop			
Ordnance Survey Records 25" 1st Edition	BL Map Vol 690 (13) - Shropshire (Northern Division) Sheet XXIII.13 - Stoke Upon Tern, Hodnet, Childs Ercall & Bolas Magna parishes	1880	PA11	One bold and one fine solid parallel black lines
Ordnance Survey Records 25" 2nd Edition	BL Map 1601 (45) - SECOND EDITION 1902 SHEET XXIII. 13.	1900	PA11	One bold and one fine solid parallel black lines
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	PA11	One bold and one fine solid parallel black lines
Finance Act Survey Records	TNA Map IR 132/4/251 - Shropshire Sheet XXIII.13 - Second Edition 1902	Date Not Known	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 on two maps. Length A – B is shown on XX un-numbered and not within a numbered parcel therefore there is no evidence for the route in the associated apportionment. Length B – C is shown as a through-route on XX and is un-numbered and not within a numbered parcel. There is therefore 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 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. Estate Records

The Estate map demonstrates evidence for part of the 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. The route is also shown as a through route.

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

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

#### 5. Ordnance Survey Records

##### a. Ordnance Survey Surveyor's 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. The route is shown on the map is described under the heading "Main Roads" in the 6" and 25" Ordnance Survey Characteristics Sheet.

d. Ordnance Survey 25" 2nd Edition

The Ordnance Survey 25" 2nd Edition demonstrates evidence for the route. The route is shown on the map is described under the heading "Main Roads" in the 6" and 25" Ordnance Survey Characteristics Sheet. The route is shown on the map 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 "2nd class metalled roads" in the map key. 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:**

No contradictory evidence was found for the route.

**Outcome of the evaluation:**

Case file SH/172/008 was included in the research scope by the ARU 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 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. Two Non-Ordnance Survey Commercial maps demonstrate evidence for the route. The route is described under the heading "By-roads" in the key on Baugh's map. On Greenwood's map the route is described under the heading "Turnpike Roads" in the map key. Length B – C of the case file route is also shown as a through-route on the Tithe Survey map.

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 "2nd class metalled roads" in the map key. 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 class of public carriageway is therefore considered to be appropriate.

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 therefore been categorised as "Strong", supporting the making of a definitive map modification order application to add the route to the definitive map. However, as a consequence of the construction of the wartime airfield the case file route may have been stopped up. It is recommended that further research is conducted before an application is made to determine whether the case file route has been stopped up and replaced by the through-route that now runs north of length A – B of the case file route.

## 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 3.7: Ordnance Survey Records
Discovering Lost Ways Research Standard 3.8: Non-OS Commercial Mapping
Discovering Lost Ways Research Standard 3.9: Estate Records
Discovering Lost Ways Research Standard 4.0: Combining & Evaluating Evidence

## **Appendix B - Acknowledgements**

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