
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:-**

Upgrading the bridleway which runs from Point A (OSGR SJ6415 2835) to Point C (OSGR SJ 6462 2884) 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/172/002 BHS which contains copies of the following documents or extracts thereof:**
- "To the Right Honourable EDWARD EARL OF POWIS (...) dated 1808
- Ordnance Survey Surveyors Drawings, BL 209, dated 1817
- 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
- Ordnance Survey 25" 1st Edition, BL Vol 690 (1), entitled "Shropshire (Northern Division) Sheet XXIII.1 - Stoke Upon Tern and Childs Ercall Parishes", dated 1880
- Ordnance Survey 25" 1st Edition, BL Vol 688 (11), entitled "Shropshire (Northern Division) Sheet XVI.13 - Stoke Upon Tern & Drayton in Hales Parishes", dated 1879 & 1880
- Ordnance Survey 25" 2nd Edition, BL 1601 (33), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXIII. 1", dated 1900
- Ordnance Survey 25" 2nd Edition, BL 1600 (10), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XVI.13", dated 1900
- Finance Act Survey Map, TNA IR 132/4/239, entitled "SHROPSHIRE SHEET XXIII.1 - SECOND EDITION", dated 1910
- Finance Act Survey Map, TNA IR 132/4/159, entitled "Shropshire Sheet XVI.13 - Second Edition 1902", dated 1910
- Finance Act Survey Field Book, TNA IR/58/76016, entitled "Stoke-upon-Tern Assessment No. 1-100", dated 1910
- Finance Act Survey Field Book, TNA IR/58/76018, entitled "Stoke-upon-Tern Assessment No. 201-300", dated 1910

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

Signed:



Date: 17/09/2020

Wildlife and Countryside Act 1981

Map to Accompany Definitive Map Modification Order Application

For a route at Salters Hill in the Parish of Stoke upon Tern, Shropshire to be shown
as a Restricted Byway

Applicant's Reference: DLW SH/172/002



17/09/2020

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**

Case File Ref. No.	SH/172/002
Name	Un-named
Historic County	Shropshire
Sub-Unit	Shropshire Sub-unit 1
Parish(es)	Stoke upon Tern
Surveying Authority	Shropshire County Council
Definitive Map Ref. No.	0227/4-1/BW, 0227/4-1/FP & 0227/4-2/FP
Other Designation(s) Ref. No.	List of streets (U3975/10)
Route Length	1105 metres
OS 1:10,000 Sheet(s)	SJ62NW
Grid Ref (start)	SJ6417 2837
Grid Ref (end)	SJ6493 2911
ARU ASSESSMENT OUTCOME	
Status/Class	Public carriageway
Strength	Strong
Comment	Shown part uncoloured and excluded from hereditaments on the Finance Act map, part 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/172/002 was included in the research scope by the Discovering Lot Ways project as Shropshire County Council have suggested that there may be higher rights over existing public bridleway, 0227/4-1/BW and public footpaths 0227/4-1/FP & 0227/4-2/FP currently recorded on the definitive map and statement.

From the documents examined it is possible to establish that the case file route is shown on the Finance Act Survey maps part uncoloured and excluded from hereditaments. This 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 remaining length of the route is shown included within hereditaments; however, a deduction for public rights of way in the field book cannot be attributed with any certainty to this length of the route. Part of the route is shown on Greenwood's map described under the heading "Cross Roads" in the map key. For the purposes of DLW 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. Part of the length of the route is shown on the map and is described in the key under the heading "3rd class metalled road". The remaining length of the route is described in the key under the heading "Unmetalled Roads". 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 part of the route at the time of the survey.

The evidence for the length of the route currently recorded on the definitive map and statement as a footpath has been categorised as "insufficient evidence for further action" as there is no evidence to suggest the existence of higher rights above those already recorded. The evidence found for the remaining length (the length recorded as a definitive bridleway) meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981 that on the balance of probability, the way ought to be shown on the definitive map as a highway of a different description to that already recorded. The case has therefore been categorised as "Strong", supporting the making of a

definitive map modification order to record the existence of carriageway rights over the route currently shown on the Definitive Map.

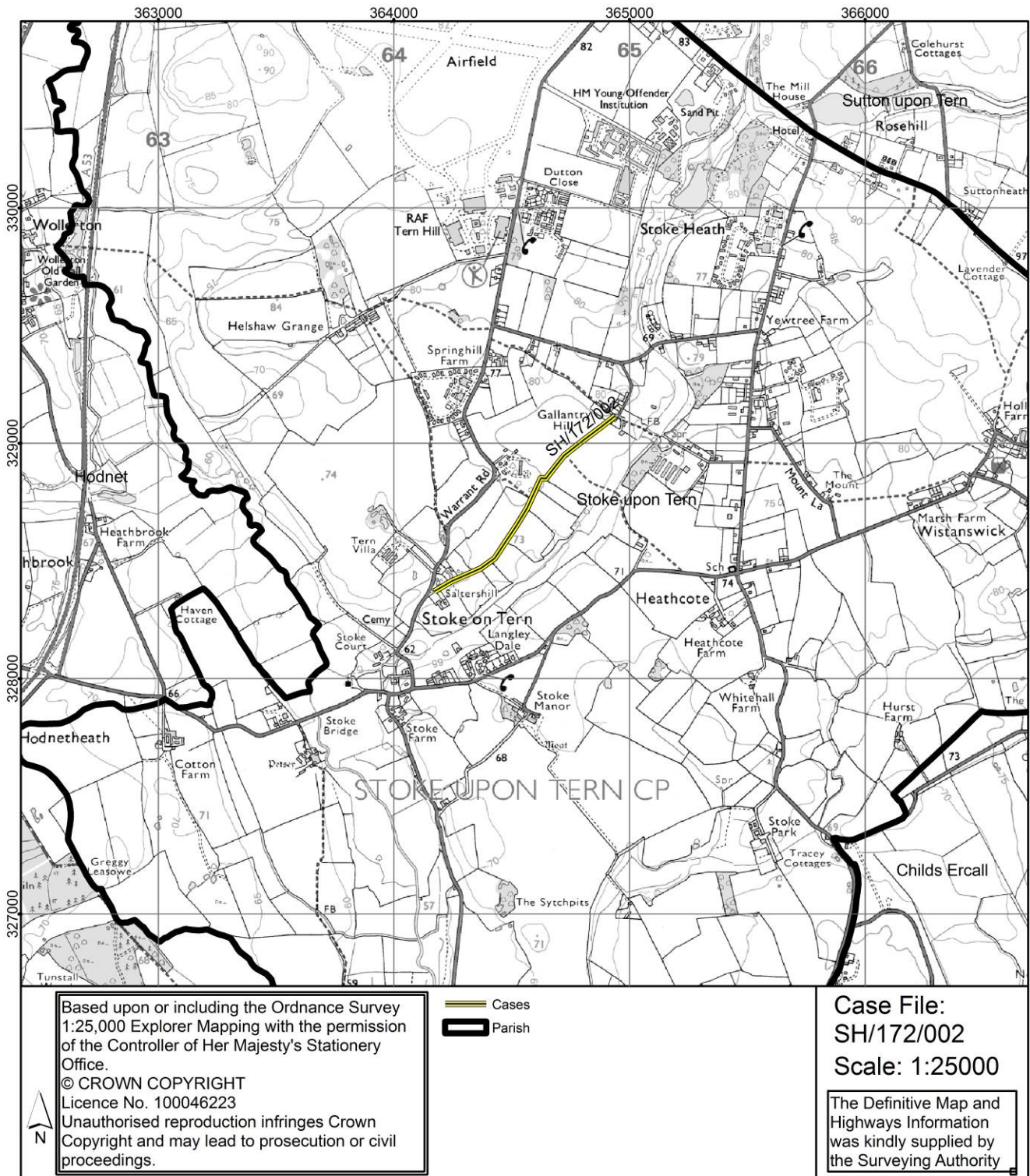
2. Description of Route

The route begins at a junction with Warrant Road (which has been given the reference C2088/120 on Shropshire County Council's List of Streets) at coordinate SJ6417 2837 (point A on the Case File Route Map). The route then heads in a north easterly direction along definitive bridleway 0227/4-1/BW and questionable status route U3975/10 (the reference given on Shropshire County Council's List of Streets). At coordinate SJ6462 2885 the route then continues along the alignment of current public footpaths 0227/4-1/FP & 0227/4-2/FP to where it terminates at a junction with another public footpath Stoke upon Tern Footpath 1 at coordinate SJ6493 2911 (point B on the Case File Route Map).

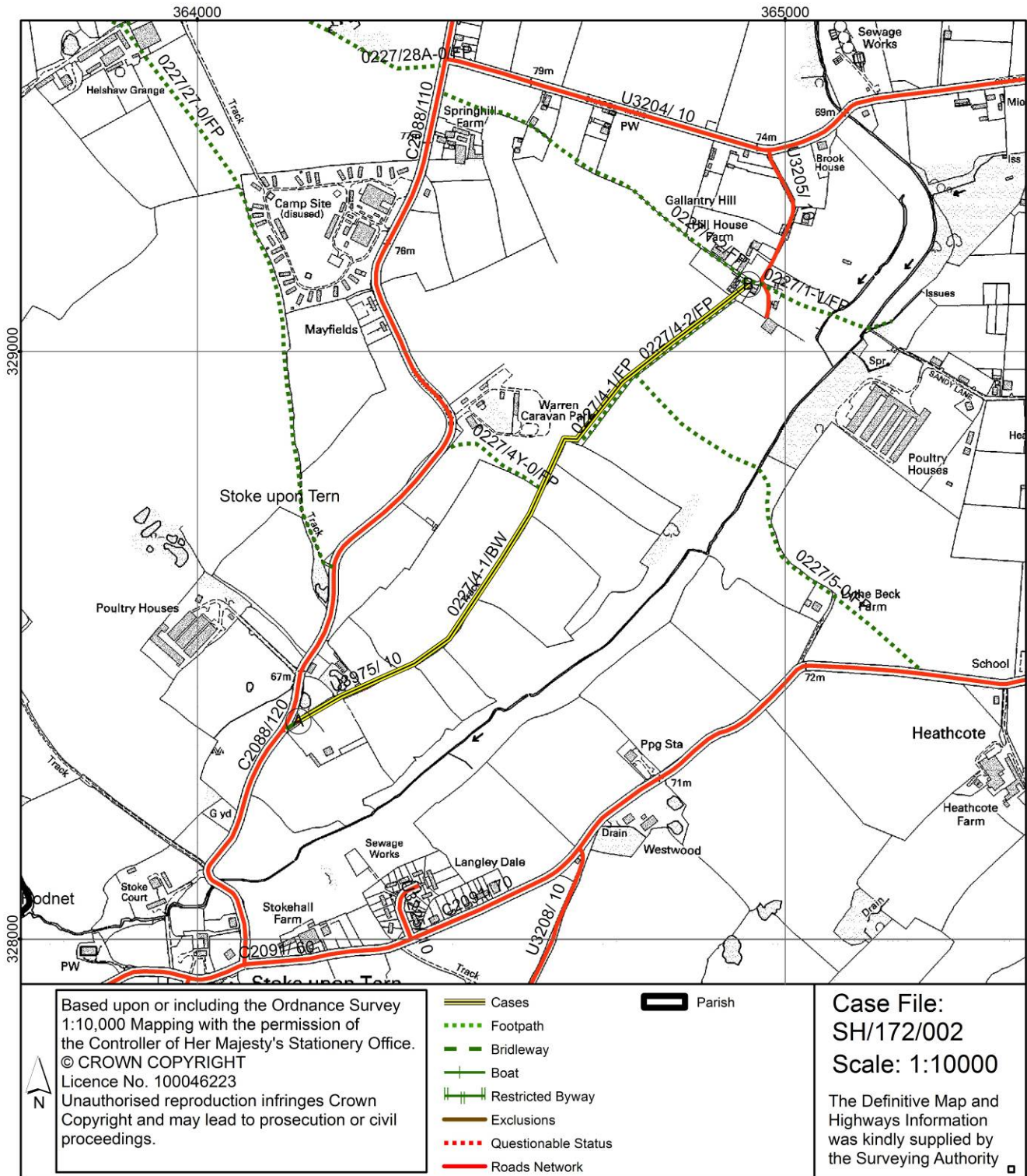
The route has a length of 1105 metres.

During the research process, the whole of the case file reference number SH/172/002 was identified with the case route number T000867. 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



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/172/002 are shown in **bold**. This information is arranged in a standard format as follows:

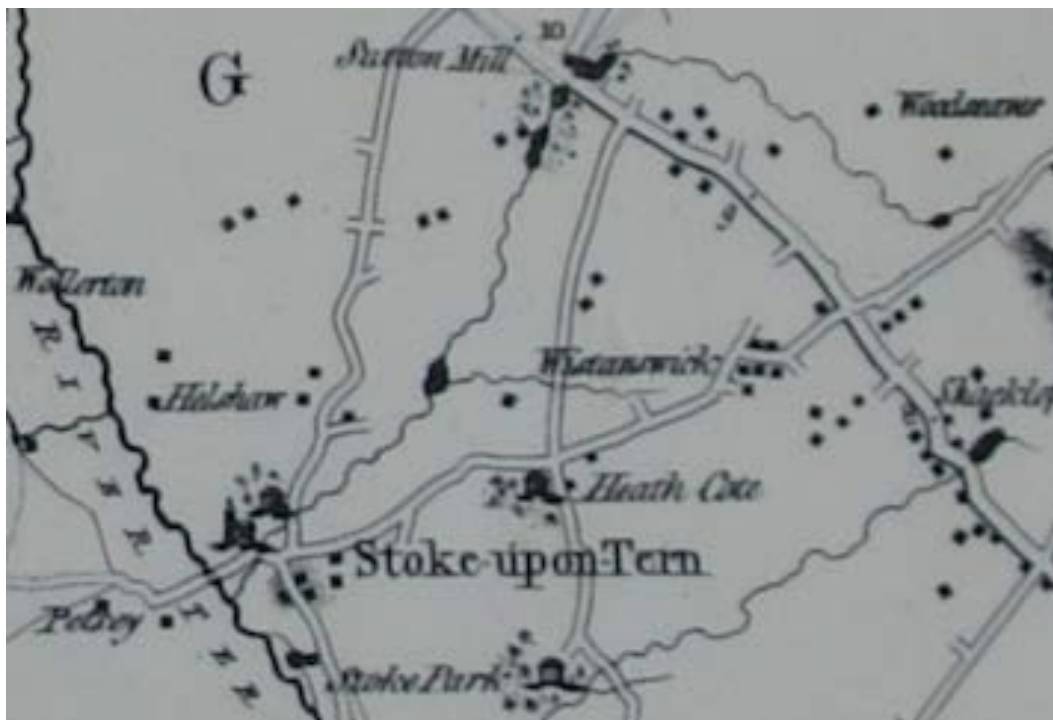
Document Type, the Archive Reference Code, followed by the Document Reference Code, the Title and Date.

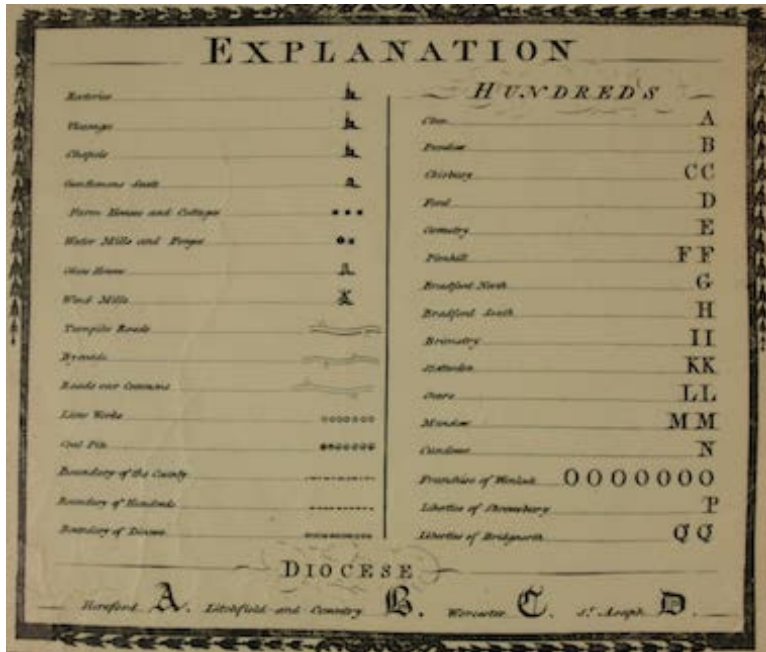
Where a document was researched at the British Library (with an archive reference code BL) no digital image was captured.

The Ordnance Survey 25" 1st and 2nd 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 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 part of route T000867. The route is observed to commence at a junction with another route to the south east of "Helshaw" on the map. The route is shown on the map and described in the map key under the heading "By-roads" in the map key. The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate to the North of the letter "S" of Stoke-upon-Tern on the map.**



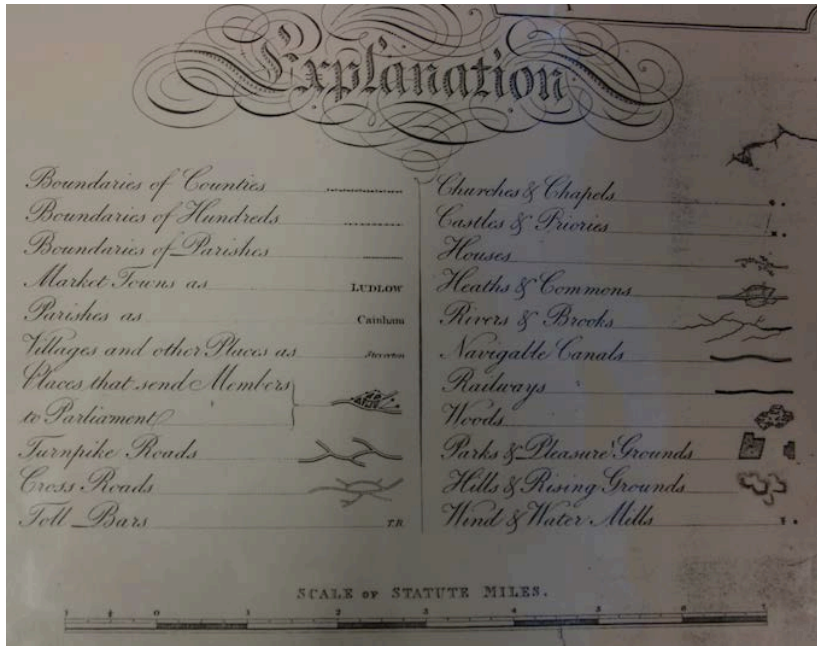


2. Ordnance Survey Surveyors Drawings, BL 209, dated 1817, demonstrates evidence for part of route T000867. The route is observed to commence west of "White Hall" on the map. The route is shown uncoloured on the Ordnance Surveyor's Drawings and is depicted as consisting of two parallel solid black lines. The route is shown un-named on the Ordnance Surveyor's Drawing. The route is observed to terminate at a point north east of the commencement point.



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 all of route T000867. The route is observed to commence north of the first letter "n" of "Stoke upon Tern" 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 change physical characteristics to the north of the second letter "n" of "Tern" on the map. The route is shown on map but it is not described in the map key legend and is depicted as consisting of two parallel dashed black lines. The route is observed to terminate north east of the "w" of "Helshaw" on the map.





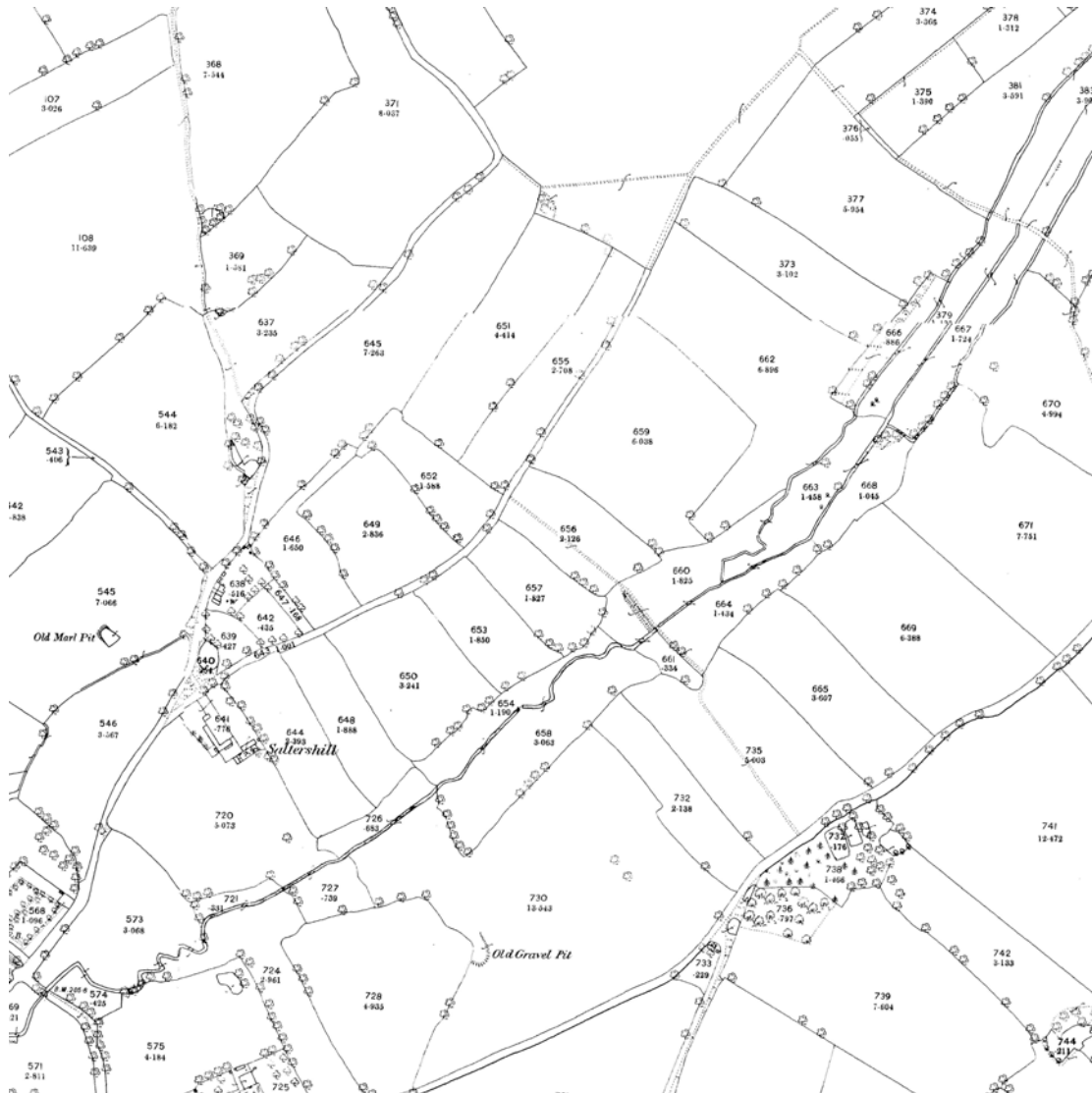
4. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1" : 1 mile, entitled "Folder 1 1833-35", dated 1833-35, demonstrates evidence for part of route T000867. The route is observed to commence west of the letter "S" of the label "Salters Hill" on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is observed to terminate south west of the second letter "H" of the label "Stoke Heath Poor House" on the map.



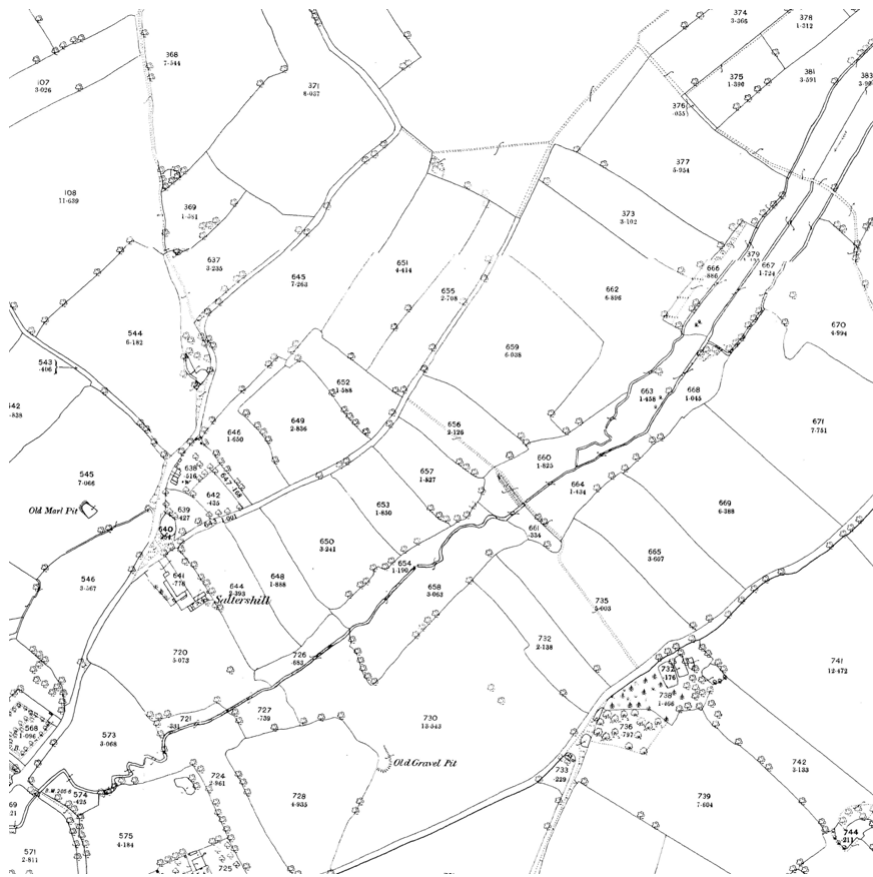
5. Tithe Map, TNA IR 30/29/305, entitled "Rough drafts of the Parish of Stoke upon Tern in two parts Salop", dated 1838, demonstrates evidence for part of route T000867. The route is observed to commence at a junction with another route at the south west corner of parcel "756" on the map. The route is 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 observed to change physical characteristics at the south east corner of parcel "748" on the map and is depicted as consisting of two parallel black lines (solid and dashed). The route is observed to terminate at the north east corner of parcel "596" on the map.



6. Ordnance Survey 25" 1st Edition, BL Vol 690 (1), entitled "Shropshire (Northern Division) Sheet XXIII.1 - Stoke Upon Tern and Childs Ercall Parishes", dated 1880, demonstrates evidence for part of route T000867. The route is observed to commence at the north west corner of parcel "720" on the map. The route is shown specifically numbered on the map as "643" and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the north east corner of parcel "659" on the map where it continues onto map sheet XVI.13.



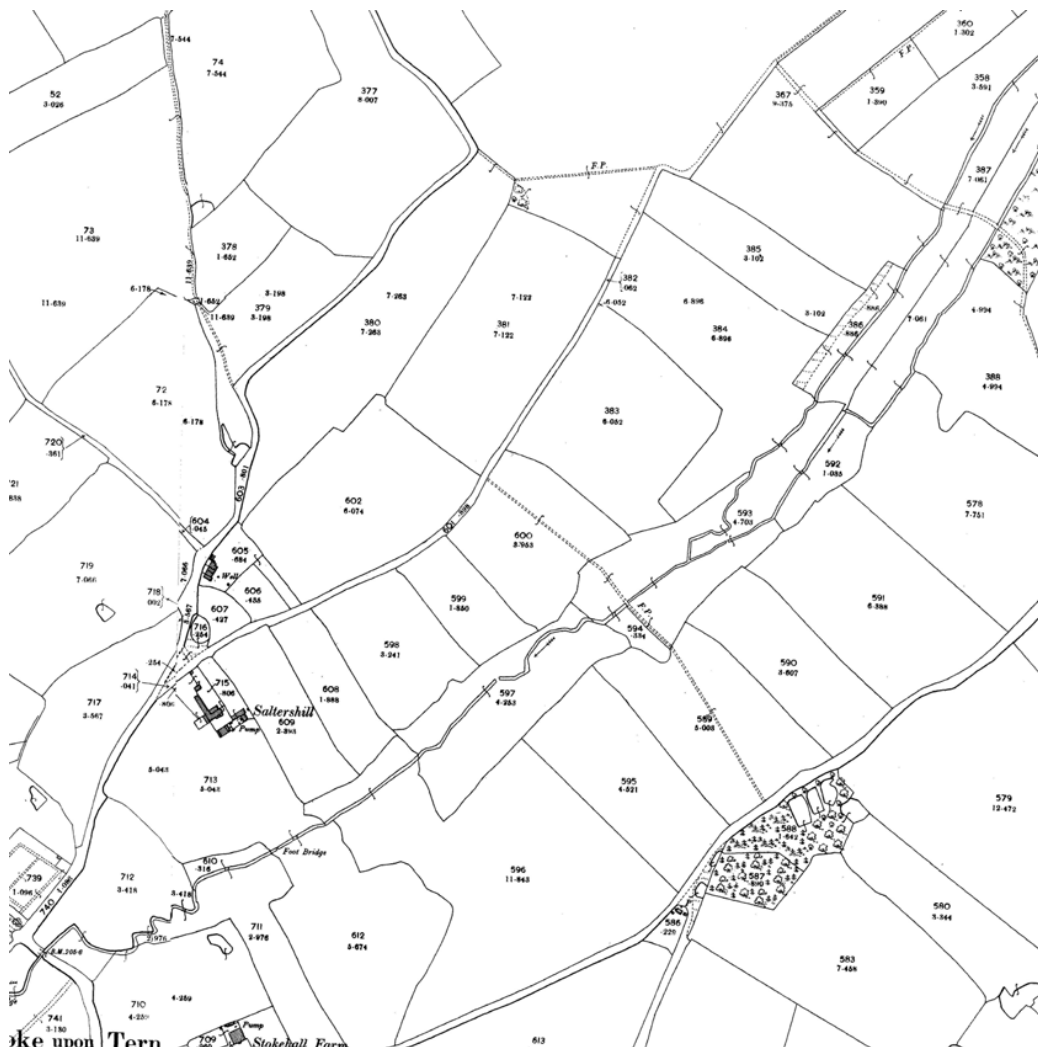
7. Ordnance Survey 25" 1st Edition, BL Vol 688 (11), entitled "Shropshire (Northern Division) Sheet XVI.13 - Stoke Upon Tern & Drayton in Hales Parishes", dated 1879 & 1880, demonstrates evidence for part of route T000867. The route is observed to commence at the north west corner of parcel "659" on the map where it continues on from map sheet XXIII.1 (shown on 30SJ6428). The route is shown on the map 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 "655" on the map. From here the route is depicted as consisting of two parallel dashed black lines. The route is observed to terminate at a junction with another route to the north of parcel "285" on the map (shown on 30SJ6429).



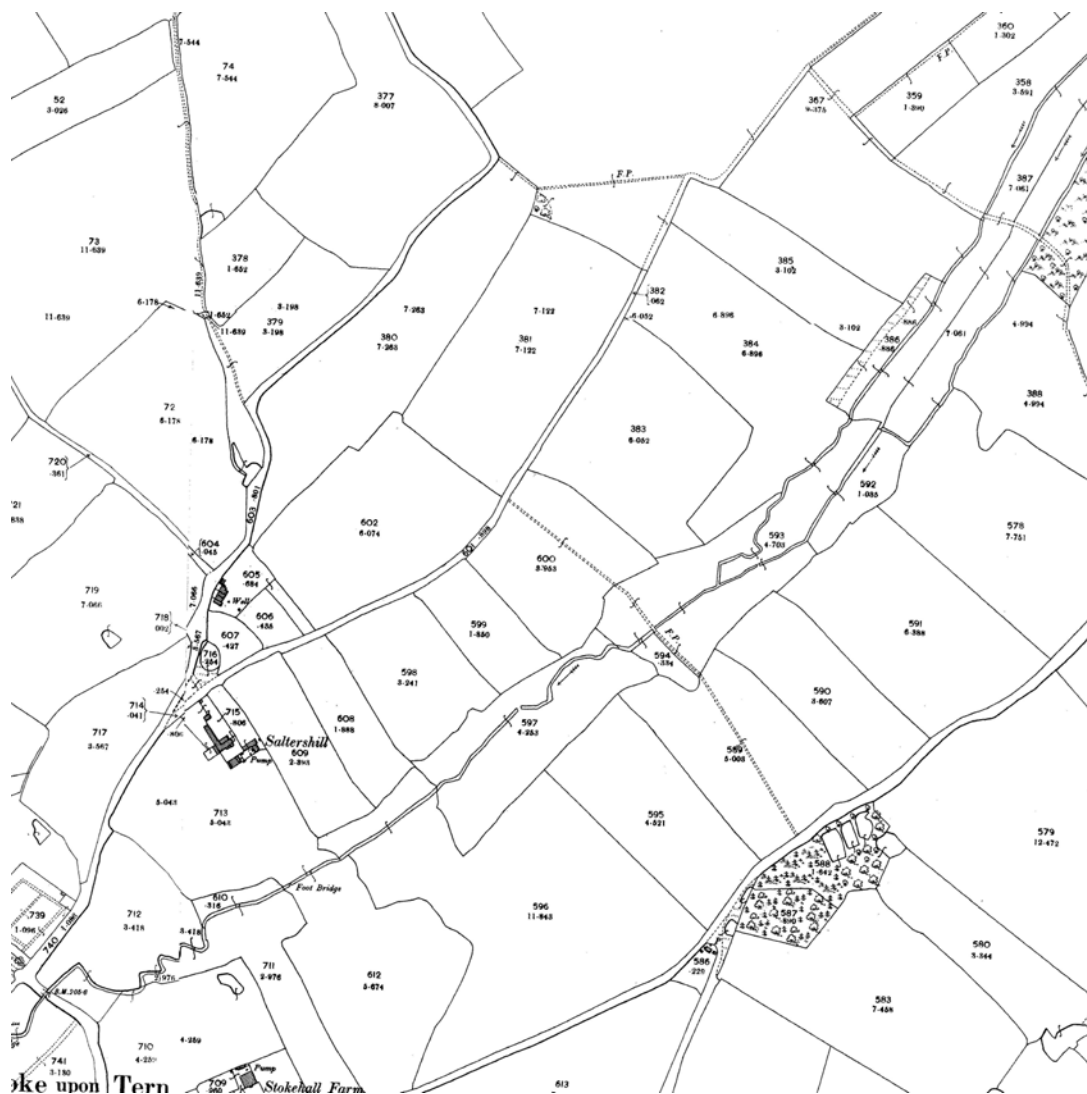
8. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Parish of Stoke Upon Tern, Shropshire-Northern Division", dated 1881, covers the area but demonstrates no evidence for case SH/172/002.

9. Ordnance Survey 25" 1st Edition Book of Reference, BL Area book/Stoke Upon Tern, entitled "BOOK OF REFERENCE TO THE PLAN OF THE PARISH OF STOKE UPON TERN, SHROPSHIRE", dated 1881, covers the area but demonstrates no evidence for case SH/172/002.

10. Ordnance Survey 25" 2nd Edition, BL 1601 (33), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXIII. 1", dated 1900, demonstrates evidence for part of route T000867. The route is observed to commence at the south west corner of parcel "716" on the map. 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 terminate at the north east corner of parcel "383" on the map where it continues onto map sheet XVI.13.



11. Ordnance Survey 25" 2nd Edition, BL 1600 (10), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XVI.13", dated 1900, demonstrates evidence for part of route T000867. The route is observed to commence at the north east corner of parcel "383" on the map where it continues on from map sheet XXIII.1. 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 east corner of parcel "381" on the map. The route is shown depicted as consisting of two parallel black lines (solid and dashed). The route is again observed to change in physical characteristics to the east of parcel "372" on the map. From here the route is depicted as consisting of two parallel dashed black lines. The route is observed to terminate at the south east corner of parcel "366" on the map.

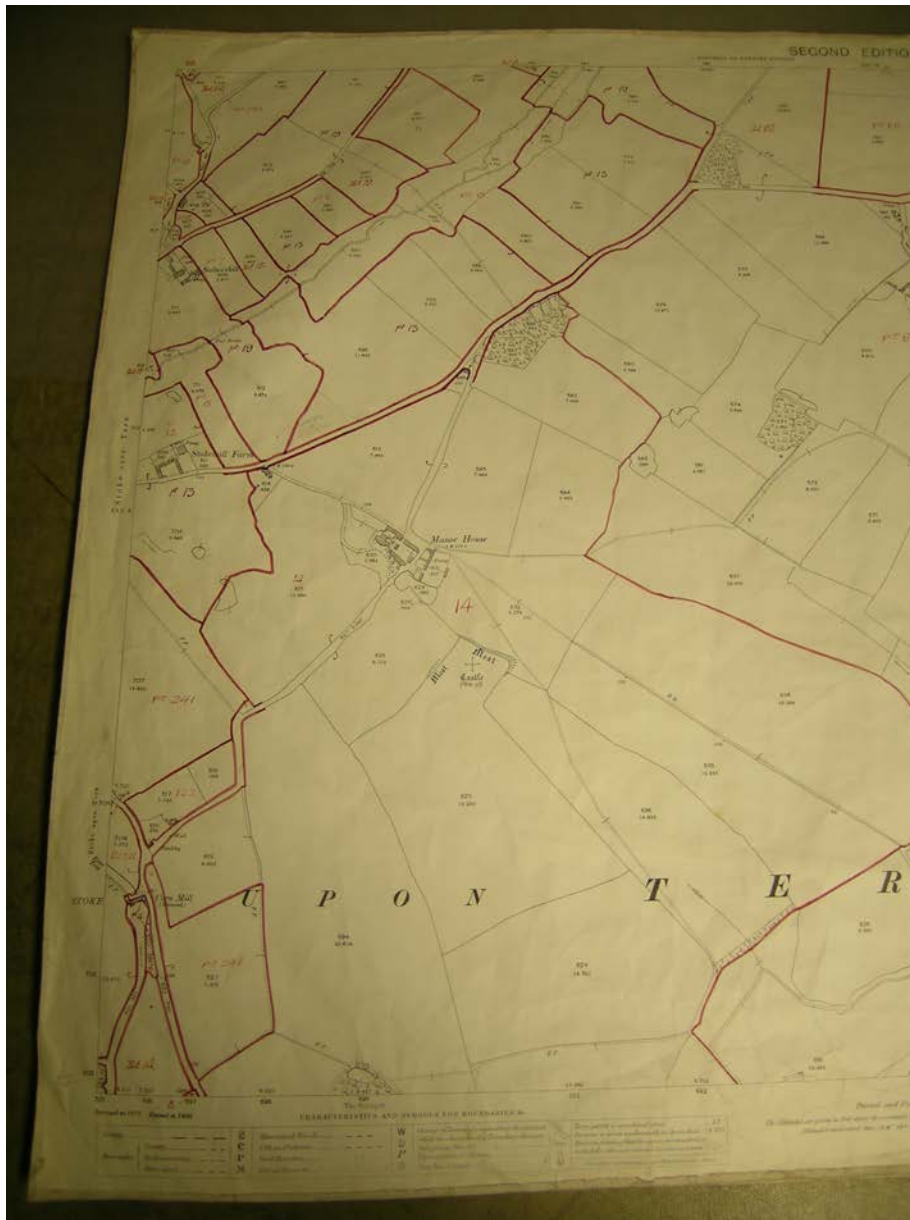




12. Ordnance Survey 1" New Series, BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM", dated 1902, demonstrates evidence for all of route T000867. The route is observed to commence at "Saltershill" on the map. The route is shown on the map depicted as consisting of two parallel solid black lines and is described in the key under the heading "3rd class metalled road". The route is observed to change physical characteristics south of the "Chapel" on the map. The route is shown on the map depicted as consisting of two parallel dashed black lines and is described in the key under the heading "Unmetalled Roads". The route is observed to terminate south of the "p of the label "Chapel" on the map.

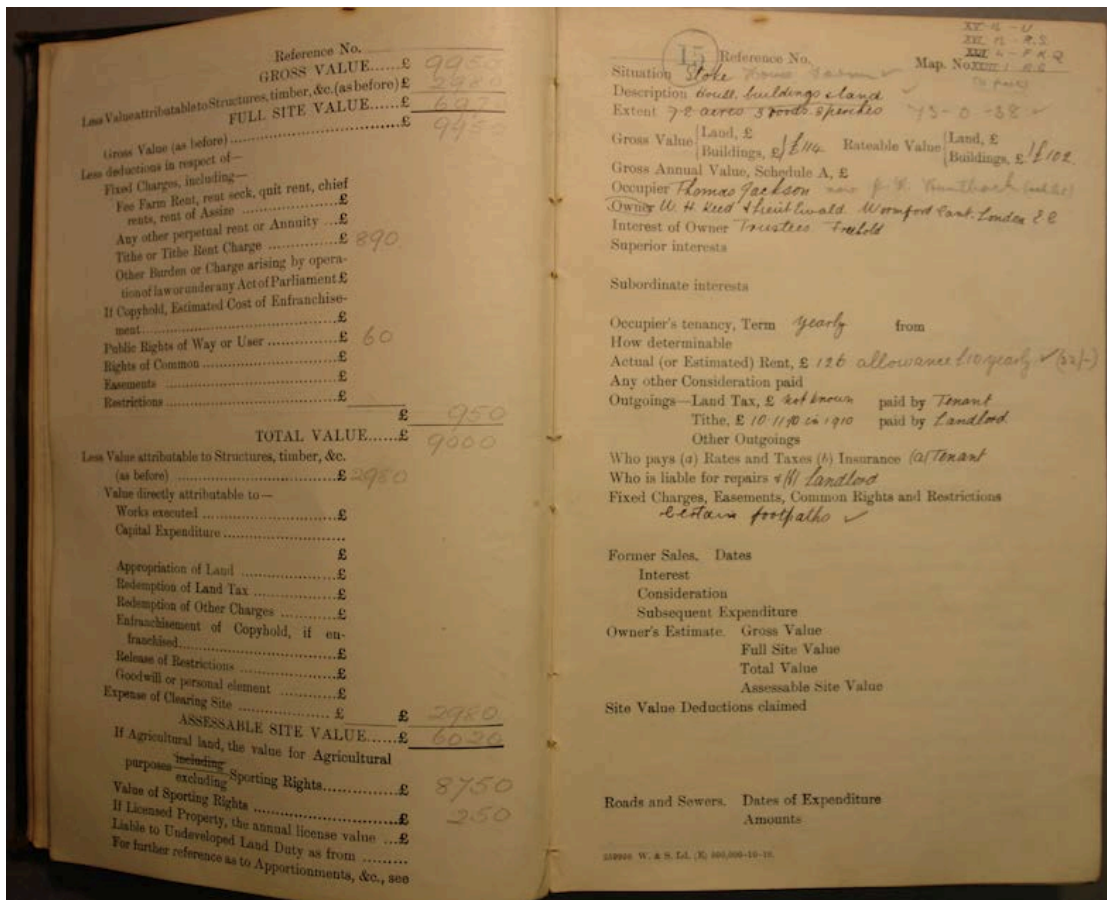
13. Finance Act Survey Map, TNA IR 132/4/239, entitled "SHROPSHIRE SHEET XXIII.1 - SECOND EDITION ", dated 1910, demonstrates evidence for part of route T000867. The route is observed to commence at the south west corner of OS parcel "716" on the map. The route is shown uncoloured and excluded from

hereditaments. The route is observed to terminate at the north west corner of OS parcel "383" on the map where it continues onto map sheet XVI.13.



14. Finance Act Survey Map, TNA IR 132/4/159, entitled "Shropshire Sheet XVI.13 - Second Edition 1902", dated 1910, demonstrates evidence for part of route T000867. The route is observed to commence at the south west corner of hereditament "pt 15" (OS parcel "383") on the map where it continues on from map sheet XXIII.1. The route is shown uncoloured and excluded from hereditaments. The route is observed to change Finance Act Survey annotation at the north east Hereditament "pt 19" (OS parcel "381") on the map. From here the route is shown included in hereditament(s) in this case hereditament

15. Finance Act Survey Field Book, TNA IR/58/76016, entitled "Stoke-upon-Tern Assessment No. 1-100", dated 1910, demonstrates evidence for part of route T000867. In hereditament "15" on page "1" under the heading "Fixed Charges, Easements, Common Rights and Restrictions" there is an entry stating "Certain footpaths". On page "2" under the heading "Restrictions" there is an entry stating "Rt of way £10". The route is described as neither public nor private but there is a deduction made for a public right of way. On page "4" under the heading "Public Rights of Way or User" there is a deduction for "£10".



Reference No. 50/114 4.7.70

Particulars, description, and notes made on inspection
 2 1/2 acres in which to give condition
 a classroom with access over
 the garden. Kitchen. 2nd kitchen. Pantry.
 which measurement house. No survey +
 Pump water
 Charges, Easements, and Restrictions affecting market value of Fee Simple

Valuation - Market Value of Fee Simple in possession of whole property
 in its present condition at date of 150
 25
 125 x 25 = 3125
 T. 75
 S. 75
 £ 3275

Deduct Market Value of Site under similar circumstances,
 but if divided of structures, timber, fruit trees, and
 other things growing on the land £ 2550

Difference Balance, being portion of market value attribut-
 able to structures, timber, &c. £ 725

Divided as follows:-
 Buildings and Structures £ 500
 Machinery £
 Timber £ 75
 Fruit Trees £
 Other things growing on land £ 150

Market Value of Fee Simple of Whole in its present con-
 dition (as before) £ 3275

Add for Additional Value represented by any of the follow-
 ing for which any deduction may have been made
 when arriving at Market Value
 Charges (excluding Land Tax) £ 265
 Restrictions £ 10
 £ 275

GROSS VALUE £ 3550

Index Letter	Description of Buildings	Dimensions			Cubical Contents	Condition	Remarks
		Frontage	Depth	Height			
	Lower House			20			
	Upper House						20 x 7 1/2
	2 Storeys						20 x 7 1/2
	2nd House						
	2nd House						
	Part of household built down						
	Other range of bldg. built						

O.S. No.	Description	Area
53 ✓		8.953
172 ✓		6.148
367 ✓		9.315
376 ✓		3.961
1384 ✓		6.896
1593 ✓		4.703
1594 ✓		3.334
1597 ✓		4.233
590 ✓		3.607
1603 ✓		1.888
610 ✓		3.16
711 ✓		2.976
717 ✓		3.482
719 ✓		7.666
741 ✓		3.130
742 ✓		9.87
752 ✓		5.227
		73.236

73-0-38

Reference No. 3550

GROSS VALUE £ 3550

Less Value attributable to Structures, timber, &c. (as before) £ 2825

FULL SITE VALUE £ 725

(Gross Value (as before) £ 3550)

Less deductions in respect of -

Fixed Charges, including -

Fee Farm Rent, rent seek, quit rent, chief rents, rent of Assize £

Any other perpetual rent or Annuity £

Tithe or Tithe Rent Charge £ 265

Other Burden or Charge arising by operation of law under any Act of Parliament £

If Copyhold, Estimated Cost of Enfranchisement £

Public Rights of Way or User £ 10

Rights of Common £

Easements £

Restrictions £

TOTAL VALUE £ 3275

Less Value attributable to Structures, timber, &c. (as before) £ 2550

Value directly attributable to -

Works executed £

Capital Expenditure £

Appropriation of Land £

Redemption of Land Tax £

Redemption of Other Charges £

Enfranchisement of Copyhold, if enfranchised £

Release of Restrictions £

Goodwill or personal element £

Expense of Clearing Site £

ASSESSABLE SITE VALUE £ 725

If Agricultural land, the value for Agricultural purposes excluding Sporting Rights £ 3200

Value of Sporting Rights £ 75

If Licensed Property, the annual license value £

Liable to Undeveloped Land Duty as from £

For further reference as to Apportionments, &c., see

Reference No. 16

Situation Land Fields, (Holy Well) Map No. 113 87 27

Description Agricultural Land

Extent 9 ac 1 r 38 p

Gross Value Land, £ 4

Buildings, £

Rateable Value Land, £ 15.0

Buildings, £

Gross Annual Value, Schedule A, £

Occupier Mr. W. J. G. G. G.

Owner Barthine Shorley, Esq.

Interest of Owner Freehold

Superior interests

Subordinate interests

Occupier's tenancy, Term Yearly from

How determinable

Actual (or Estimated) Rent, £ 8

Any other Consideration paid

Outgoings - Land Tax, £

Tithe, £ 10/- paid by

Other Outgoings paid by owner

Who pays (a) Rates and Taxes (b) Insurance @ occupier owner

Who is liable for repairs owner

Fixed Charges, Easements, Common Rights and Restrictions

Former Sales, Dates

Interest

Consideration

Subsequent Expenditure

Owner's Estimate, Gross Value

Full Site Value

Total Value

Assessable Site Value

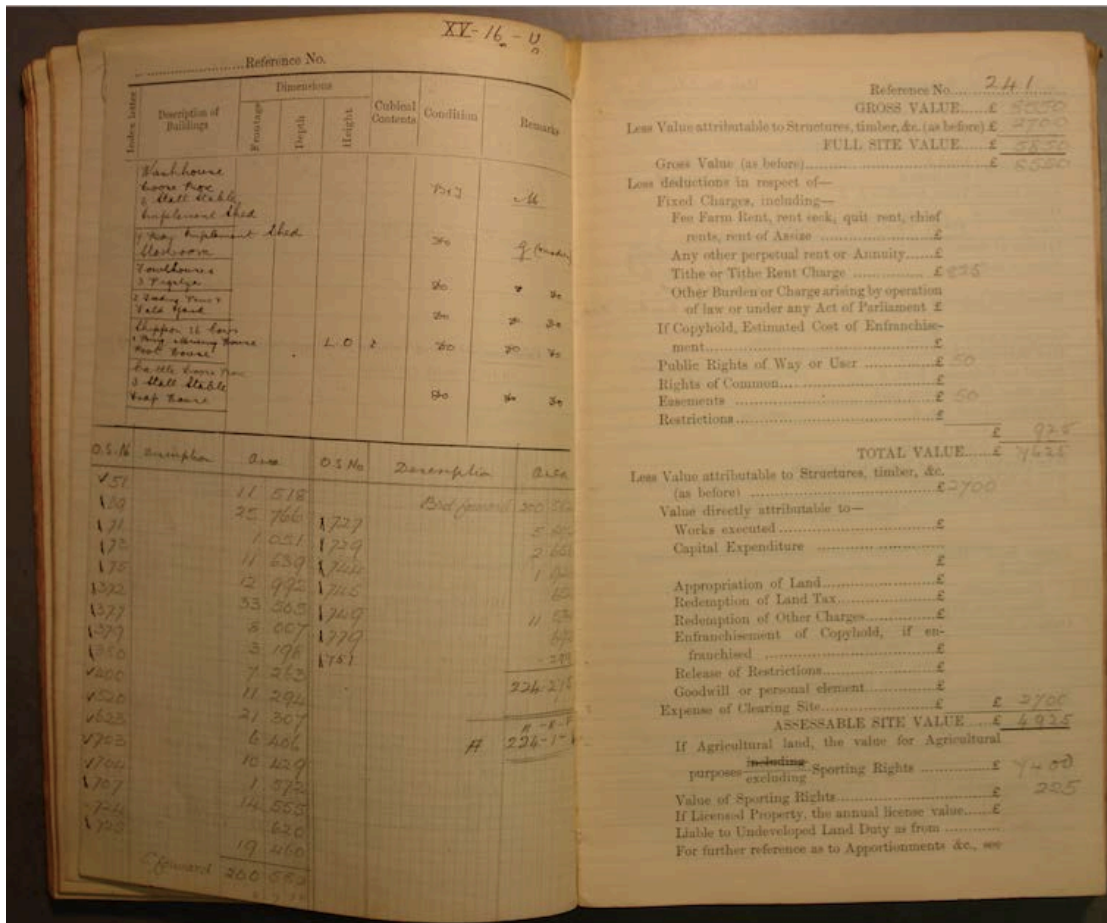
Site Value Deductions claimed Yes

Roads and Sewers, Dates of Expenditure

Amounts

23898 W. & A. L. L. (E. 200, 000-15-15)

16. Finance Act Survey Field Book, TNA IR/58/76018, entitled "Stoke-upon-Tern Assessment No. 201-300", dated 1910, demonstrates evidence for part of route T000867. In hereditament "241" on page "2" under the heading "Restrictions" there is an entry stating "Rt of way £50, Easement £50". The route is described as neither public nor private but there is a deduction made for a public right of way. On page "4" under the heading "Public Rights of Way or User" there is a deduction for "£50". Also under the heading "Easements" there is a deduction for "£50".



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	1808	6.1	NOS10	Shown on map and described as status neutral in key

		BAUGH				
Ordnance Survey Records Surveyors Drawings	C	BL 209	1817	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
Non-OS Commercial Mapping	B(ii) part	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
					NOS1	Route shown on map not described on map or in legend, or legend not present
Ordnance Survey Records 1" Old Series	C	SHR Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	6.4	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	6.5	TM3	Route shown on map not numbered specifically or within numbered parcel
Ordnance Survey Records 25" 1st Edition	C	BL Vol 690 (1) - Shropshire (Northern Division) Sheet XXIII.1 - Stoke Upon Tern and Childs Ercall Parishes	1880	6.6	OSM23	Route specifically numbered on plan
Ordnance Survey Records 25"	C	BL Vol 688 (11) - Shropshire	1879 & 1880	6.7	OSM6	Route Shown on OS 1st Edition 25"

1st Edition		(Northern Division) Sheet XVI.13 - Stoke Upon Tern & Drayton in Hales Parishes				Map
Ordnance Survey Records 25" 2nd Edition	C	BL 1601 (33) - SECOND EDITION 1902 SHROPSHIRE SHEET XXIII. 1	1900	6.10	OSM12	Route Shown on OS 2nd Edition 25" Map
Ordnance Survey Records 25" 2nd Edition	C	BL 1600 (10) - SECOND EDITION 1902 SHROPSHIRE SHEET XVI 13	1900	6.11	OSM12	Route Shown on OS 2nd Edition 25" Map
					OSM9	Route unnamed on map
Ordnance Survey Records 1" New Series	B(ii) part	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	6.12	OSM26	Route described as '3rd class metalled road' on key or Characteristics Sheet
					OSM27	Route described as 'Unmetalled Roads' on key or Characteristics Sheet
Finance Act Survey Records	B(i)	TNA Map IR 132/4/239 - SHROPSHIRE SHEET XIII.1 - SECOND EDITION	1910	6.13	FA1	Route excluded from Hdtmt
Finance Act Survey Records	B(i) part	TNA Map IR 132/4/159 - Shropshire Sheet XVI.13 - Second Edition 1902	1910	6.14	FA2	Route Included in Hdtmt
Finance Act Survey Records	C	TNA Field Book IR/58/76016 - Stoke-upon-Tern Assessment No. 1-100	1910	6.15	FB10	Described as neither public or private, no deduction shown for ROW
					FB6	Described as neither public or private, deduction shown for ROW
					FB2	Deduction for public ROW, map not conclusive as to route.
		TNA Field Book IR/58/76018 - Stoke-upon-Tern Assessment No. 201-300	1910	6.16	FB6	Described as neither public or private, deduction shown for ROW
					FB2	Deduction for public ROW, map not

						conclusive as to route.
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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 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 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
Ordnance Survey Records 25" 1st Edition	BL Vol 688 (11) - Shropshire (Northern Division) Sheet XVI.13 - Stoke Upon Tern & Drayton in Hales Parishes	1879 & 1880	RC14	Unspecified
Ordnance Survey Records 25" 1st Edition	BL Vol 690 (1) - Shropshire (Northern Division) Sheet XXIII.1 - Stoke Upon Tern and Childs Ercall Parishes	1880	RC14	Unspecified
Ordnance Survey Records 25" 2nd Edition	BL 1601 (33) - SECOND EDITION 1902 SHROPSHIRE SHEET XXIII. 1	1900	RC14	Unspecified

Ordnance Survey Records 25" 2nd Edition	BL 1600 (10) - SECOND EDITION 1902 SHROPSHIRE SHEET XVI 13	1900	RC14	Unspecified
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 132/4/239 - SHROPSHIRE SHEET XIII.1 - SECOND EDITION	1910	RC14	Unspecified
Finance Act Survey Records	TNA Map IR 132/4/159 - Shropshire Sheet XVI.13 - Second Edition 1902	1910	RC14	Unspecified
Finance Act Survey Records	TNA Field Book IR/58/76016 - Stoke- upon-Tern Assessment No. 1- 100	1910	RC8	Foot path
			RC14	Unspecified
	TNA Field Book IR/58/76018 - Stoke- upon-Tern Assessment No. 201-300	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
Non-OS Commercial Mapping	SHR Map R BAUGH 1808 sheet 2 To the Right Honourable EDWARD EARL OF POWIS Lord Lieutenant and	1808	PA1	two parallel solid black lines

	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			
Ordnance Survey Records Surveyors Drawings	BL 209	1817	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 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	PA1	two parallel solid black lines
			PA2	two parallel dashed black lines
Ordnance Survey Records 1" Old Series	SHR 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	PA1	two parallel solid black lines
			PA7	two parallel black lines (solid and dashed)
Ordnance Survey Records 25" 1st Edition	BL Vol 688 (11) - Shropshire (Northern Division) Sheet XVI.13 - Stoke Upon Tern &	1879 & 1880	PA1	two parallel solid black lines
			PA2	two parallel dashed black lines

	Drayton in Hales Parishes			
Ordnance Survey Records 25" 1st Edition	BL Vol 690 (1) - Shropshire (Northern Division) Sheet XXIII.1 - Stoke Upon Tern and Childs Ercall Parishes	1880	PA1	two parallel solid black lines
Ordnance Survey Records 25" 2nd Edition	BL 1601 (33) - SECOND EDITION 1902 SHROPSHIRE SHEET XXIII. 1	1900	PA1	two parallel solid black lines
Ordnance Survey Records 25" 2nd Edition	BL 1600 (10) - SECOND EDITION 1902 SHROPSHIRE SHEET XVI 13	1900	PA1	two parallel solid black lines
			PA7	two parallel black lines (solid and dashed)
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) sheet 138 - OS of England WEM	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. Tithe Survey Records

The Tithe Survey map demonstrates evidence for the route. The route is shown on the map un-numbered and not within a numbered parcel therefore there is 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 in part uncoloured and excluded from hereditaments. This 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 remaining length of the route is shown included within hereditaments. The field book provides a deduction for a public right of way but this cannot be attributed to the case file route with any certainty owing to other known public routes running the same hereditaments.

3. Non-Ordnance Survey Commercial Mapping

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

4. Ordnance Survey Records

a. Ordnance Survey Surveyor's Drawings

The Ordnance Surveyor's Drawing demonstrates evidence for the route 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 map demonstrates evidence for the route over two sheets. The route is shown on the map specifically numbered in part but there is no evidence for the route in the associated book of reference.

d. Ordnance Survey 25" 2nd Edition

The Ordnance Survey 25" 2nd Edition map demonstrates evidence for the route over two sheets. 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 map

The Ordnance Survey 1" Revised New Series map demonstrates evidence for the route. Part of the length of the route is shown on the map and is described in the key under the heading "3rd class metalled road". The remaining length of the route is described in the key under the heading "Unmetalled Roads". 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 part of the route at the time of the survey.

Alignment of the case file route:

From the analysis of the Greenwood's 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/172/002 was included in the research scope by the Discovering Lot Ways project as Shropshire County Council have suggested that there may be higher rights over existing public bridleway, 0227/4-1/BW and public footpaths 0227/4-1/FP & 0227/4-2/FP currently recorded on the definitive map and statement.

From the documents examined it is possible to establish that the case file route is shown on the Finance Act Survey maps part uncoloured and excluded from hereditaments. This 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 remaining length of the route is shown included within hereditaments; however, a deduction for public rights of way in the field book cannot be attributed with any certainty to this length of the route. Part of the route is shown on Greenwood's map described under the heading "Cross Roads" in the map key. For the purposes of DLW 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. Part of the length of the route is shown on the map and is described in the key under the heading "3rd class metalled road". The remaining length of the route is described in the key under the heading "Unmetalled Roads". 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 part of the route at the time of the survey.

The evidence for the length of the route currently recorded on the definitive map and statement as a footpath has been categorised as "insufficient evidence for further action" as there is no evidence to suggest the existence of higher rights above those already recorded. The evidence found for the remaining length (the length recorded as a definitive bridleway) meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981 that on the balance of probability, the way ought to be shown on the definitive map as a highway of a different description to that already recorded. The case has therefore been categorised as "Strong", supporting the making of a definitive map modification order application to record the existence of carriageway rights over the route currently shown 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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