
APPLICATION FORM

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

To: The Outdoor Recreation Manager, Outdoor Recreation, Shropshire Council, Shirehall,
Abbey Foregate, Shrewsbury. SY2 6ND

I, **Will Steel**, for and on behalf of the **British Horse Society**, of Abbey Park, Stareton, Kenilworth,
Warwickshire. CV8 2XZ.

hereby apply for an order under Section 53(2) of the Wildlife and Countryside Act 1981
modifying the Definitive Map and Statement for the area by:-

Adding the *bridleway* which runs from Point C (OSGR SJ57292553) to Point F (OSGR SJ57762655) 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/169/003BHS which contains copies of the following documents or extracts thereof:**
- Ordnance Survey Surveyors Drawings, BL 320 (E), entitled "PART of SHROPSHIRE", dated 1827
- Non-Ordnance Survey Commercial Map, SHR GREENWOODS 1827, entitled "Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1826&1827 BY C. & J. GREENWOOD", dated 1827
- Ordnance Survey 25", "Shropshire XXII.6 (Hodnet; Stanton Upon Hine; Weston under Redcastle)", Surveyed 1880, Published 1881
- Ordnance Survey 25" and Shropshire XXII.10 (Stanton upon Hine Heath) Surveyed 1878-79, Published 1881
- Ordnance Survey 1" Revised New Series, Sheet 138 – Wem (Outline)", dated 1899
- Ordnance Survey 25" SHROPSHIRE XXII.10 (Stanton under Hine Heath)", revised 1900, published 1901
- Ordnance Survey 25" SHROPSHIRE XXII.6 (Hodnet; Stanton under Hine Heath; Weston under Redcastle)", revised 1900, published 1902
- Finance Act Survey Map, TNA IR 132/4/228, 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 Booley in the Parish of Stanton upon Hine Heath, Shropshire to be shown as a Public Bridleway

Applicant's Reference: DLW SH/169/003



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/169/003
Name	Un-named
Historic County	Shropshire
Sub-Unit	Shropshire Sub-unit 1
Parish(es)	Stanton upon Hine Heath
Surveying Authority	Shropshire County Council
Definitive Map Ref. No.	None
Other Designation(s) Ref. No.	None
Route Length	1718 metres
OS 1:10,000 Sheet(s)	SJ52NE
Grid Ref (start)	SJ5714 2563
Grid Ref (end)	SJ5777 2655
ARU ASSESSMENT OUTCOME	
Status/Class	Part public footpath, part public bridleway
Strength	Insufficient / Strong
Comment	Shown uncoloured and excluded from the hereditaments on the Finance Act Map

Date:

17 October 2007

LandAspects
Rowan House
Lloyd Drive
Ellesmere Port
Cheshire CH65 9HQ

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1. Summary of Findings

Case file SH/169/003 was included in the research scope by Discovering of Lost Ways Project as a route that is a potential gap in the definitive map network between C2093/20 (reference given on Shropshire County Council's List of Streets) and C2102/70 (reference given on Shropshire County Council's List of Streets).

From the documents examined it is possible to establish that part of the case file route is shown on the Finance Act Survey map. It 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. One Non-Ordnance Survey Commercial map demonstrates evidence of public status over the route; it is included in the key as a "Cross Road". 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.

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 as 'un-metalled Road'. 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" Revised New Series maps will be taken as evidence of the existence of public vehicular rights. The case file route is not shown in this way and it is considered therefore that a public vehicular right of way cannot be shown to have existed over the route at the time of the survey.

It is also shown as a physical feature on the supporting Ordnance Survey records.

No evidence was found to clarify the class of public rights over the route but it is shown in part on a Non-Ordnance Survey Commercial map under the heading "Cross Roads". The default class of public footpath for part of the route (A to B) and a public bridleway for the rest of the route (B to F) is therefore suggested as being appropriate. In the absence of evidence of stopping up, these rights can be assumed to exist today.

The evidence found meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981 that a public right of way subsists or is reasonably alleged to subsist and has therefore been categorised as "Strong" for part of the route (B to F), supporting the making of a definitive map modification order application to add the

route to the Definitive Map. For part of the route (A to B) no evidence was found to suggest that the class of public rights over the route was higher than that currently recorded on the definitive map. This section of the case file route has therefore been categorised as “insufficient evidence for further action”.

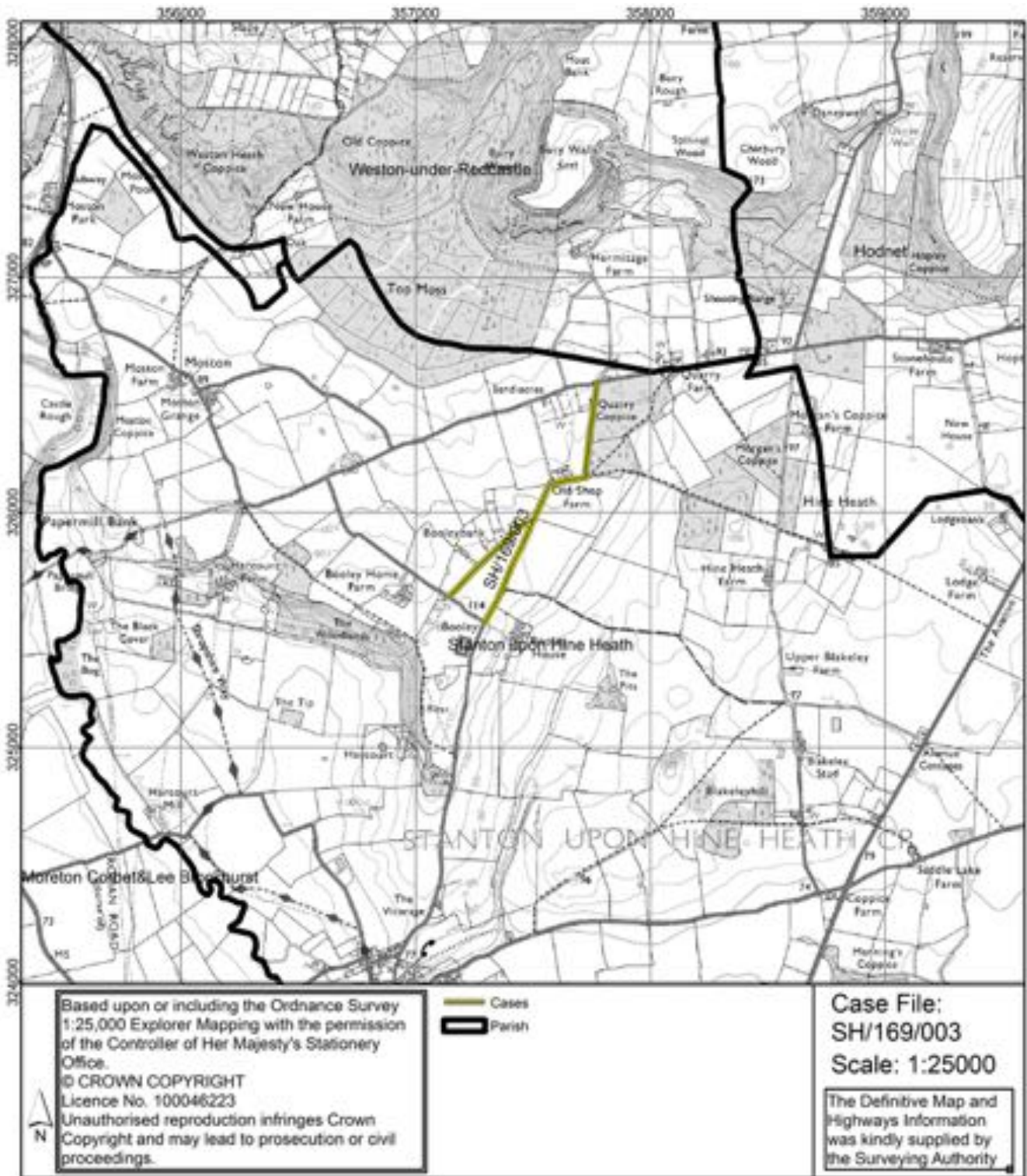
2. Description of Route

The route begins at a junction with C2102/70 at coordinate SJ5714 2563 (point A on the Case File Route Map). The route heads in a north easterly direction to coordinate SJ5750 2597 (point B on the Case File Route Map). At this point the route branches in opposite directions. Part of the route extends in a south westerly direction to coordinate SJ5729 2552. The other section of the route extends in a north easterly direction to coordinate SJ5757 2612 (point D on the Case File Route Map) and then in an easterly direction to coordinate SJ5772 2614 (point E on the Case File Route Map). This section continues in a northerly direction to where it terminates at a junction with C2093/20 at coordinate SJ5777 2655 (point F on the Case File Route Map).

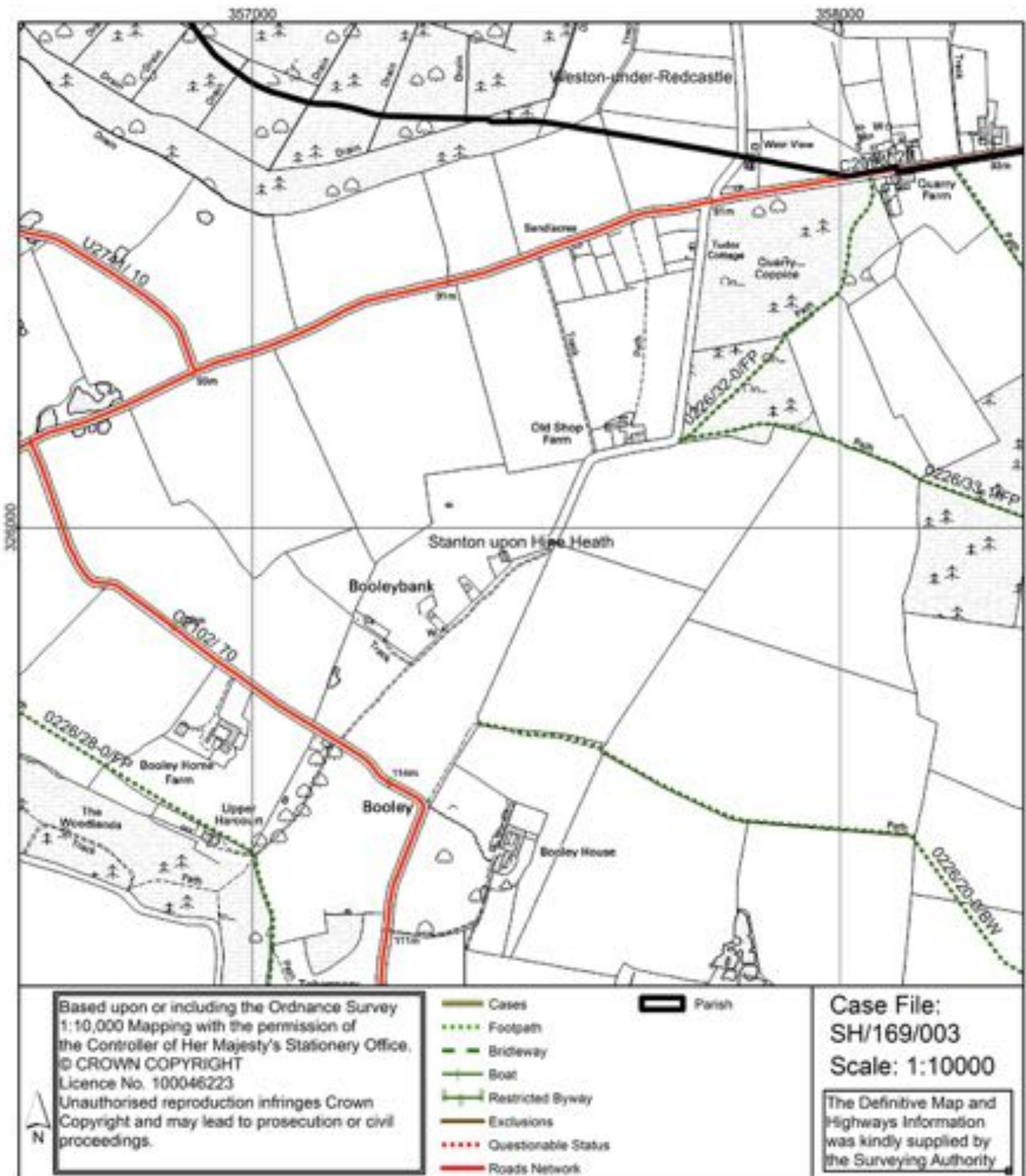
The route has a length of 1718 metres.

During the research process, the whole of the case file reference number SH/169/003 was identified with the case route numbers T000705. Both references are used in section 6 of this report. Where supporting evidence or conflicting evidence is being described, the case route number is used (in bold). Where the evidence is neutral, the case file reference number is used (plain text).

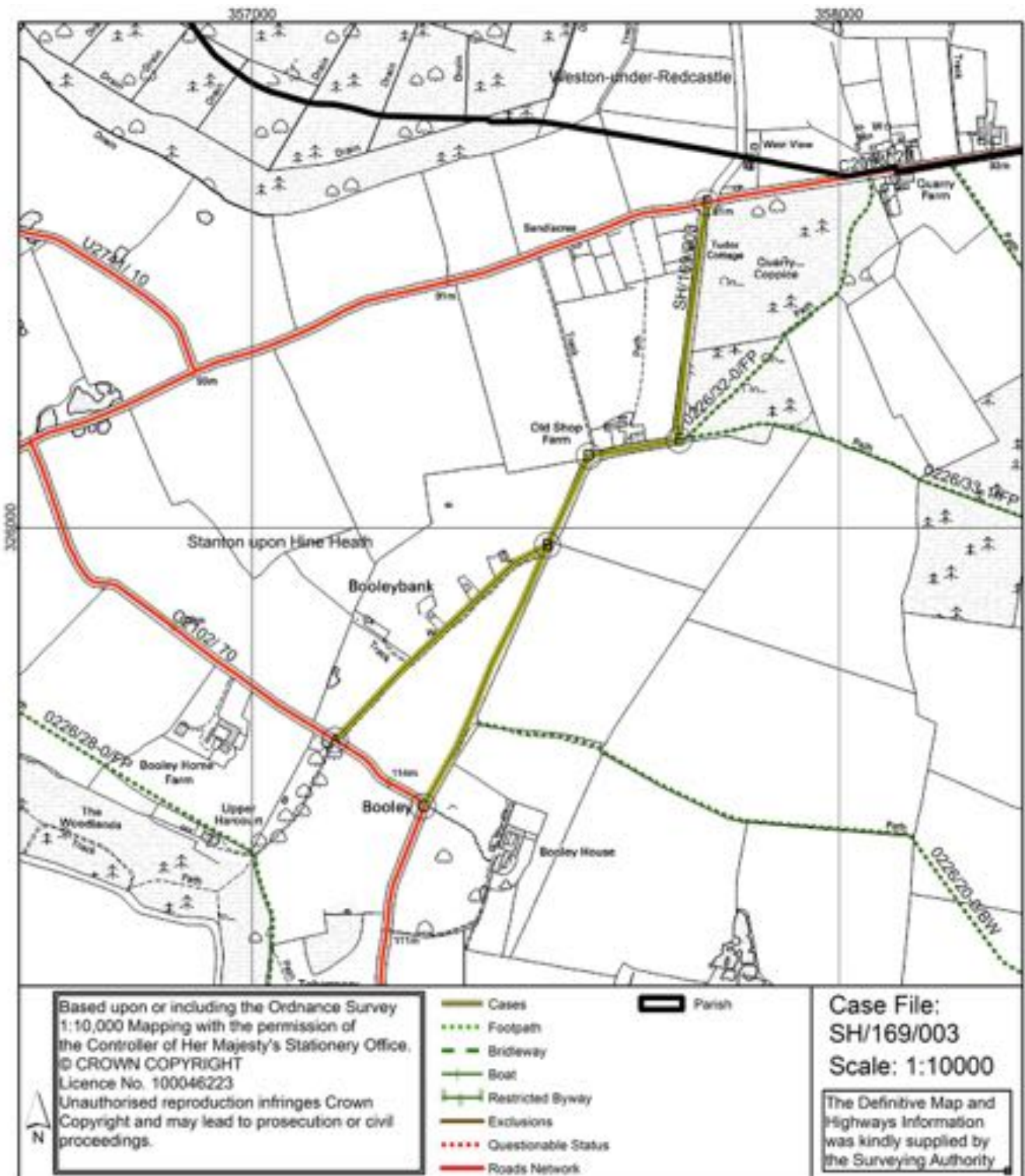
3. Location Plan



4. Current Definitive Paths



5. Case File Route Map



6. Details of Documentary Evidence

Records were examined at the locations detailed in the following table. A reference code has been allocated to each archive.

Archive	Address	Reference code
British Library	The British Library, St Pancras, 96 Euston Road, London, NW1 2DB	BL
Shropshire Record Office	Castle Gates, Shrewsbury, SY1 2AQ.	SHR
House of Lords Records Office	Parliamentary Archives, HLRO, London, SW1A 0PW, United Kingdom	HLRO
LandAspects	LandAspects, Rowan House, Lloyd Drive, Ellesmere Port, Cheshire, CH65 9HQ	LA
The National Archives	The National Archives, Kew, Richmond, Surrey, TW9 4DU	TNA
National Library of Scotland	92 Cowgate Edinburgh, EH1 1JN	NLS

The following records were examined as part of the research programme. The documents are listed in chronological order. Those documents that are considered to contain relevant evidence for case SH/169/003 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.

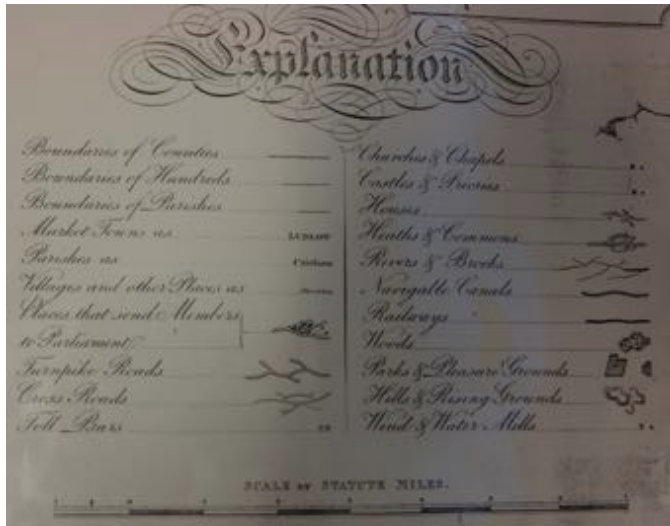
1. Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honorable EDWARD EARL OF POWIS Lord Lieutenant and Custos Rotulorum of the Counties of SALOP AND MONTGOMERY This MAP of SHROPSHIRE is humbly and respectfully dedicated by his Lordship's obliged and obedient servant ROBERT BAUGH", dated 1808, covers the area but demonstrates no evidence for case SH/169/003.

2. Ordnance Survey Surveyors Drawings, BL 320 (E), entitled "PART of SHROPSHIRE", dated 1827, demonstrates evidence for part of the route T000705. The route is observed to commence at a point north east of that labelled "Stanton" on the plan. This is shown uncoloured on the Ordnance Surveyor's Drawings and is depicted as consisting of two parallel solid black lines. This is shown un-named on the Ordnance Surveyor's Drawing. The route is observed to terminate at the point where it joins another route 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”, dated 1827, demonstrates evidence for part of route T000705. The route is observed to commence above the words “Hatton Bank” where there is a slight gap in the route on the map. It is described as “Cross Roads” in the legend and is depicted as consisting of two parallel dashed black lines. The route is observed to change its physical characteristics to the north of the first letter “t” in the word “Hatton Bank” at the edge of common land on the map and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a junction with another route to the west of “Hine Heath” on the map.





4. Estate Map, SHR 1313/153, entitled "PLAN of HIGH_HATTON_ESTATE BELONGING TO Sir Andrew Vincent Corbet Bart in the Parish of STANTON UPON HINE_HEATH IN THE COUNTY OF SALOP.", dated 1837, demonstrates evidence for part of the route. The route is observed to commence to the east of a point labelled "Booley Farm" on the map. The route is specifically numbered as "471" and is depicted of consisting of two solid black lines. The route is observed to terminate north west corner of parcel "448" on the map.

5. Estate Map, SHR 6007/54, entitled "Plan" demonstrates evidence for part of route T000705. The route is observed to commence near the North West corner of parcel "494". It is shown specifically numbered as "492" and is depicted as consisting of two parallel solid black lines (in-filled). The route is observed to terminate at the North West corner of parcel "469".

6. Tithe Map, TNA IR/30/29/295, entitled "MAP of the TOWNSHIP of Stanton in the Parish of STANTON UPON HINE HEATH in the COUNTY OF SALOP", dated 1839, demonstrates evidence for part route T000705. The route is observed to commence at the south east corner of parcel "120". 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 (in-filled). The route is observed to change characteristics at the south east corner of parcel "116". This part of route is depicted as one solid and one dashed parallel black line. The route is observed to terminate at the north east corner of parcel "109".

7. Ordnance Survey 25", "Shropshire XXII.6 (Hodnet; Stanton Upon Hine; Weston under Redcastle)", Surveyed 1880, Published 1881 demonstrates evidence for part of route T000705. The first part (A - B) is observed to commence near the south west corner of parcel "171" on the map. The second part (C - B) is observed to commence at the northwest corner of parcel "351" on the map. This is shown to be unnumbered but is contained within numbered parcel "171" and is depicted as consisting of two parallel dashed black lines. The route is observed to change its physical characteristics at the northwest corner of parcel "176" where the split in the route becomes one. This is shown on the map and is depicted as consisting of two parallel solid black lines. This part of the route is specifically numbered "138" on the map. The route is observed to terminate at the north east corner of parcel "105" on the map.



Shropshire XXII.6 (Hodnet; Stanton Upon Hine Heath; Weston Under Redcastle)
 Surveyed: 1880
 Published: 1881

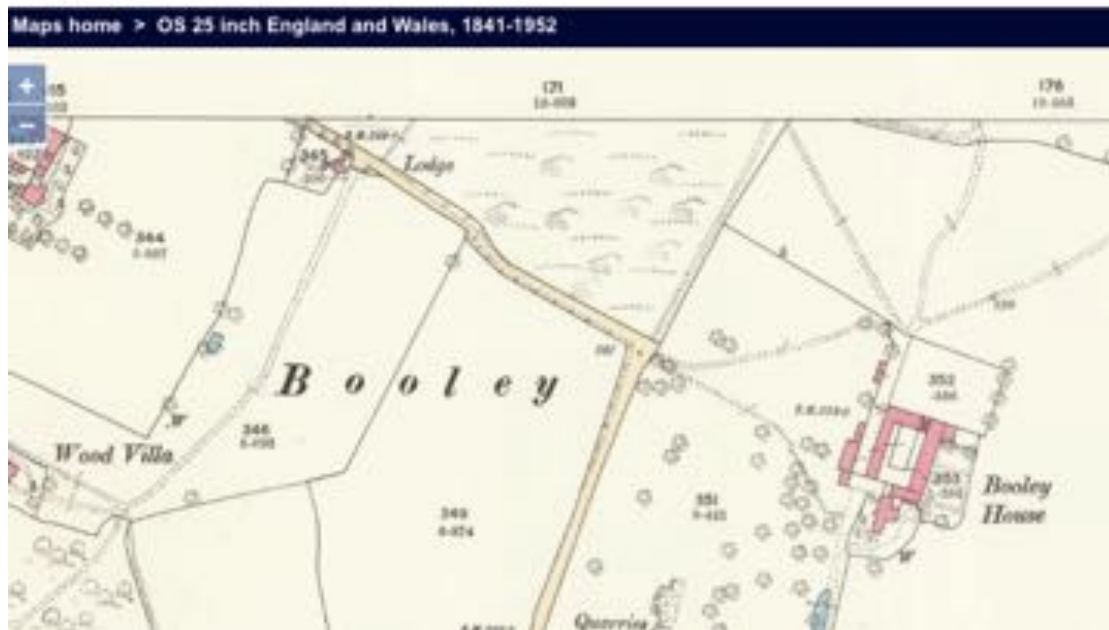


8. Ordnance Survey 25" and Shropshire XXII.10 (Stanton upon Hine Heath) Surveyed 1878-79, Published 1881, demonstrates evidence for part of route T000705. The first part of the route (A - B) is observed to commence at the northwest corner of parcel "346" on the map. The second part of the route (C -

B) is observed to commence at the north east corner of parcel "349" on the map. The route is shown to be unnumbered but is contained within numbered parcel "171" and is depicted as consisting of two parallel dashed black lines. The route is observed to terminate at two separate points because the route is split. The first part of the route (A - B) is observed to terminate northwest of the word "Lodge" on the map. The second part of the route (C - B) is observed to terminate at the northwest corner of parcel "351" on the map.



Shropshire XXIII.10 (Stanton Upon Hine Heath)
Surveyed: 1878 to 1879
Published: 1881

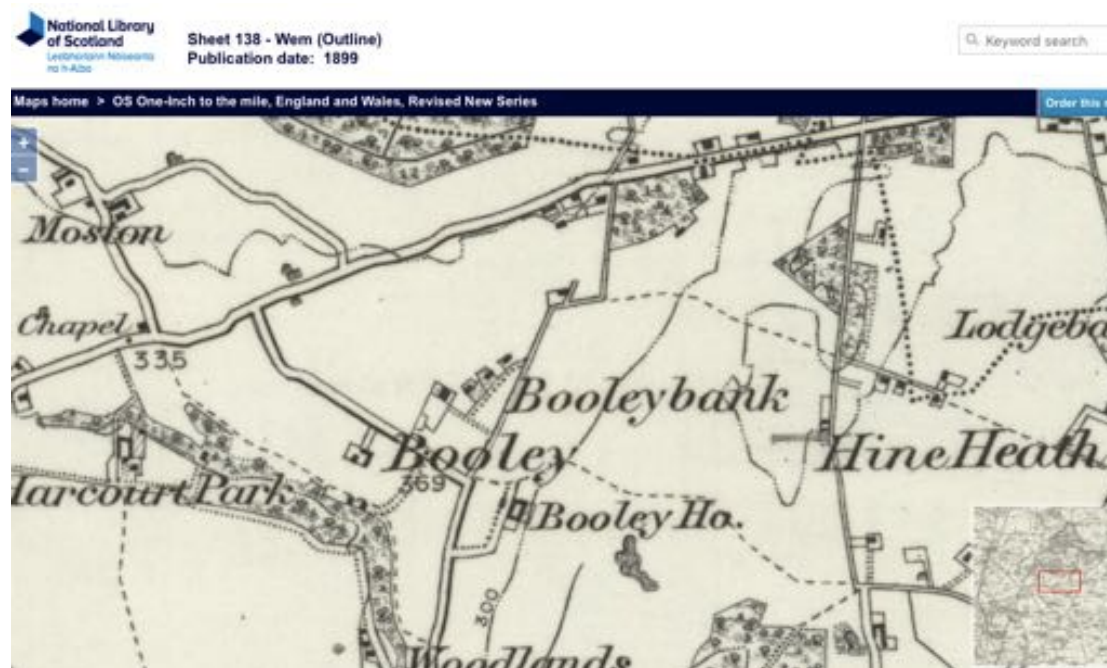


9. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Hodnet, Shropshire (Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/169/003.

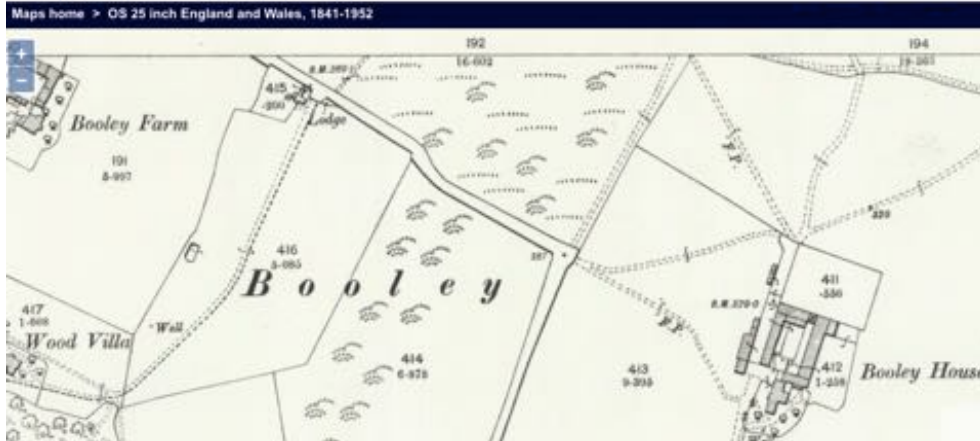
10. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Stanton Upon Hine Heath, Shropshire- (Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/169/003.

11. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Weston and Wixhill Under Redcastle, Shropshire (Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/169/003.

12. Ordnance Survey 1" Revised New Series, Sheet 138 – Wem (Outline)", dated 1899, demonstrates evidence for part of route T000705. The route is observed to commence at the bend in the route south of the words "Booley Bank" on the map. This is shown on the map and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a junction with another route to the south east of "Top Moss" on the map.



13. Ordnance Survey 25" SHROPSHIRE XXII.10 (Stanton under Hine Heath)", revised 1900, published 1901, demonstrates evidence for all of route T000705. The first part of the route at point C is observed to commence on the North West side of parcel "413" on map XXII.10. The route is shown on the map with its type indicated as "F.P." and is depicted as consisting of two parallel dashed black lines.



14. Ordnance Survey 25" SHROPSHIRE XXII.6 (Hodnet; Stanton under Hine Heath; Weston under Redcastle)", revised 1900, published 1902, demonstrates evidence for all of route T000705. The route is shown on the map with its type indicated as "F.P." and is depicted as consisting of two parallel dashed black lines. The route is observed to change its physical characteristics at the northwest corner of parcel "194" on the map. This is shown on the map named 100 and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the northeast corner of parcel "103" 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 part of route T000705. The first part of the route is observed to commence at a junction with another unmetalled road north of the first "O" in "BOOLEY". This part of the route is observed to terminate a short distance to the north east of its commencement point (Point B). The second part of the route (C-F) is observed to commence (Point C) at the second "O" in "BOOLEY". This part of the route is observed to terminate (Point F) at a junction with a second class metalled road north of "Booleybank". The whole of the route is shown on the map un-coloured and un-named. The whole of the route is shown on the map consisting of two solid or pecked fine parallel black lines and is described in the key as 'Unmettalled Roads'.

16. Ordnance Survey 25" 2nd Edition ONB, BL OS/35/5988, entitled "Name Book sheet 22 SE - sheets 11,12,15,16", dated 22/04/1901, covers the area but demonstrates no evidence for case SH/169/003.

17. Ordnance Survey 25" 2nd Edition ONB, BL OS/35/5985, entitled "Name Book sheet 22 NW - sheets 1,2,5,6", dated 29/05/1923, covers the area but demonstrates no evidence for case SH/169/003.

18. Finance Act Survey Map, TNA IR 132/4/228, entitled "Shropshire Sheet - Second Edition 1902", dated 1910, demonstrates evidence for part of route T000705. The route is observed to commence at the south west corner of OS land parcel "170" on the map. It is shown uncoloured and excluded from hereditaments and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the north east corner of OS land parcel "103" on the map.



19. Finance Act Map, TNA IR 132/4/232, entitled "Shropshire Sheet XXII.10 - Second Edition 1901", dated 1910, covers the area but demonstrates no evidence for case SH/169/003.

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
Ordnance Survey Records 2" to 1 Mile Surveyors Drawing	C	BL, Map, 320 (E) - PART of SHROPSHIRE	1827	6.2	OSD1	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 SURVEY BY C. & J. GREENWOOD.	1827	6.3	NOS16	Shown on map and depicted or described as driving road or crossroads in key
					NOS19	Key describes route as status neutral
Ordnance Survey 1" Revised New Series Map	C	Ordnance Survey 1" Revised New Series, Sheet 138 – Wem (Outline)"	1899	6.4	NLS1	Route shown on map
Estate Records	C	SHR, Map 1313/153 - PLAN of HIGH_HATTON_ESTATE BELONGING TO Sir Andrew Vincent Corbet Bart in the Parish of STANTON UPON HINE_HEATH IN THE COUNTY OF SALOP.	1837	6.5	EM1	Shown on map specifically numbered or contained in numbered parcel
Tithe Survey Records	C	TNA, Map IR/30/29/295 - MAP of the TOWNSHIP of Stanton in the Parish of STANTON UPON HINE HEATH in the COUNTY OF SALOP	1839	6.7	TM3	Route shown on map not numbered specifically or within numbered parcel
Ordnance Survey 25"	C	Ordnance Survey 25"	1881	6.8	NLS2	Route specifically

Map		"Shropshire XXII.6 (Hodnet; Stanton Upon Hine; Weston under Redcastle)",				numbered on plan
					NLS2	Route Shown on OS 25" Map
Ordnance Survey 25" Map	C	Shropshire XXII.10 (Stanton upon Hine Heath)	1880	6.9	NLS3	Route un-named on map
Ordnance Survey 25" Map	C	SHROPSHIRE XXII.10 (Stanton under Hine Heath;)", revised 1900,	1901	6.13	NLS5	Route un-named on 25" map
Ordnance Survey 25" map	c	SHROPSHIRE XXII.6 (Hodnet; Stanton under Hine Heath; Weston under Redcastle)", revised 1900,	1902	6.14	NLS6	Route shown on 25" map
						route shown named on 25" map
Ordnance Survey 1" New Series Map	C	BL, Map Maps 1175 (134.) sheet 138 - OS of England WEM	1902	6.14	OSM13	Route shown on OS 1" New Series
					OSM14	Route shown un-coloured on OS 1" New Series
					OSM20	Route un-named on map
					OSM27	Route described as 'Unmettalled Roads' on key or Characteristics Sheet
Finance Act Survey Records	B(i)	TNA, Map IR 132/4/228 Second Edition 1902 – Shropshire Sheet XXII.6	1910	6.17	FA1	Route excluded from Hdtmt
Estate Records	C	SHR, Map 6007/54	Not given	6.6	EM1	Shown on map specifically numbered or contained in numbered parcel

					EM6	Annotated as other routes on map known to be public
					EM7	Annotated Limitations i.e. - 'Stile', 'Gate'

Evidence of class:

This evidence refers of the type of rights enjoyed over the case file route. Evidence is recorded according to the traditional classes of public right of way recorded in documentary evidence: i.e. footpath, bridleway or carriageway. The status and class together may be identified clearly in a document (e.g. public footpath, private carriageway, etc.), but in other cases information on class may not be specified (e.g. "highway").

The following items of evidence were found to relate to the class of the case file route:

Document Group	Document	Date	Code	Code Description
Ordnance Survey Records 2" to 1 Mile Surveyors Drawing	BL, Map BL 320 (E) - PART of SHROPSHIRE	1827	RC14	Unspecified
Non-OS Commercial Mapping	SHR, Map GREENWOODS 1827 - Map of the County of SALOP FROM AN SURVEY BY C. & J. GREENWOOD.	1827	RC14	Unspecified
			RC12	Road
Ordnance Survey 1" Old Series Map	SHR, Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	RC14	Unspecified
Estate Records	SHR, Map 1313/153 - PLAN of HIGH_HATTON_ES TATE BELONGING TO Sir Andrew	1837	RC14	Unspecified

	Vincent Corbet Bart in the Parish of STANTON UPON HINE_HEATH IN THE COUNTY OF SALOP..			
Tithe Survey Records	TNA, Map IR/30/29/295 - MAP of the TOWNSHIP of Stanton in the Parish of STANTON UPON HINE HEATH in the COUNTY OF	1839	RC14	Unspecified
Ordnance Survey 25" 1st Edition Map	BL, Map Vol 689 (45) - Shropshire (Northern Division) Sheet XXII.6 - Weston and Wixhill under Redcastle, Hodnet & Stanton Upon Hine Parishes	1880	RC14	Unspecified
Ordnance Survey Records 25" 1st Edition Map	BL, Vol 689 (49) - Shropshire (Northern Division) Sheet XXI.10 - Stanton Upon Hine Heath Parish	1880	RC14	Unspecified
Ordnance Survey 25" 2nd Edition Map	BL, Map 1601 (17-32) - SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII. 1.-16.	1900	RC14	Unspecified
Ordnance Survey 1" New Series Map	BL, Maps 1175 (134.) sheet 138 - OS of England WEM	1902	RC12	Road
Finance Act Survey Records	TNA, Map IR 132/4/228 - Second Edition 1902 – Shropshire Sheet XXII.6	1910	RC14	Unspecified
Estate Records	SHR, Map 6007/54	Not given	RC14	Unspecified

Evidence of physical characteristics:

This evidence relates to the physical appearance of the case file route as recorded in documentary sources, even if these sources do not themselves contain evidence of the route's status or class.

Items of evidence relating to physical characteristics are recorded using a series of 'physical appearance' codes.

The following items of evidence were found to relate to the physical characteristics of the case file route:

Document Group	Document	Date	Code	Code Description
Ordnance Survey Records 2" to 1 Mile Surveyors Drawing	BL, Map 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 SURVEY BY C. & J. GREENWOOD.	1827	PA2	two parallel dashed black lines
			PA1	two parallel solid black lines
Ordnance Survey 1" Old Series Map	SHR, Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	PA1	two parallel solid black lines
Estate Records	SHR, Map 1313/153 PLAN of HIGH_HATTON_ES TATE BELONGING TO Sir Andrew Vincent Corbet Bart in the Parish of STANTON UPON HINE_HEATH IN THE COUNTY OF SALOP..	1837	PA3	two parallel solid black lines (in-filled)
Tithe Survey Records	TNA, Map IR/30/29/295 - MAP of the TOWNSHIP of Stanton in the Parish of STANTON UPON HINE HEATH in the COUNTY OF SALOP	1839	PA3	two parallel solid black lines (in-filled)

Ordnance Survey Records 25" 1st Edition Map	BL, Map Vol 689 (45) - Shropshire (Northern Division) Sheet XXII.6 - Weston and Wixhill under Redcastle, Hodnet & Stanton Upon Hine Parishes	1880	PA2	two parallel dashed black lines
			PA1	two parallel solid black lines
Ordnance Survey Records 25" 1st Edition Map	BL, Map Vol 689 (49) - Shropshire (Northern Division) Sheet XXI.10 - Stanton Upon Hine Heath Parish	1880	PA2	two parallel dashed black lines
Ordnance Survey 25" 2nd Edition Map	BL, Map 1601 (17-32) - SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII. 1.-16.	1900	PA1	two parallel solid black lines
Ordnance Survey 1" New Series Map	BL, Maps 1175 (134.) sheet 138 - OS of England WEM	1902	PA1	two parallel solid black lines
Finance Act Survey Records	TNA, Map IR 132/4/228 - Second Edition 1902 – Shropshire Sheet XXII.6	1910	PA2	two parallel dashed black lines
			PA1	two parallel solid black lines
Estate Records	SHR, Map 6007/54	Not given	PA3	two parallel solid black lines (in-filled)

Evidence of width:

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

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

8. Overall Evaluation of Evidence

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

Findings from the main documentary sources:

1. Finance Act Survey Records

The Finance Act Survey map shows evidence for part of 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.

2. Tithe Survey Records

The Tithe Survey map demonstrates evidence for the route. The route is shown un-numbered and not within a numbered parcel. It is depicted as consisting of two parallel solid black lines, and one solid and one dashed parallel black line.

3. Estate Records

The route is also shown on two Estate maps. One map shows the route un-numbered and not within a numbered parcel. The other map shows the route specifically numbered. The route is depicted as consisting of two parallel solid black lines (in-filled) on both maps.

4. Non-Ordnance Survey Commercial Mapping

The Non-Ordnance Survey Commercial map demonstrates evidence for part of the route. It is described as "Cross Roads" in the legend and is depicted as consisting of two parallel dashed black lines and as two parallel solid black lines. 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.

5. Ordnance Survey Records

a) Ordnance Survey Surveyors Drawings

The Ordnance Survey Surveyors Drawing shows evidence for part of the route. It is shown as uncoloured and un-named and is depicted as consisting of two parallel solid black lines.

b) Ordnance Survey 1" Old Series

The Ordnance Survey 1" Old Series map demonstrates evidence for part of the route. It is shown on the map and is depicted as consisting of two parallel solid black lines.

c) Ordnance Survey 25" 1st Edition

Two Ordnance Survey 25" 1st Edition maps demonstrate evidence for the route. The route is shown on the map but is un-named. It is depicted as consisting of two parallel dashed black lines and two solid black lines and shown specifically numbered.

d) Ordnance Survey 25" 2nd Edition

The Ordnance Survey 25" 2nd Edition demonstrates evidence for the route. The route is shown on the maps and is depicted as consisting of two parallel solid black lines. It is shown on the map but is un-named.

e) Ordnance Survey 1" Revised New Series

The Ordnance Survey 1" Revised New Series map demonstrates evidence for part of the route. The route is shown on the map as consisting of two solid parallel black lines and is described in the key as an "Un-metalled Road". 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. The case file route is not shown in this way and it is considered therefore that a public vehicular right of way cannot be shown to have 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 specific legal width for the route.

Contradictory evidence:

There is no contradictory evidence for the route.

Outcome of the evaluation:

Case file SH/169/003 was included in the research scope by Discovering of Lost Ways Project as a route that is a potential gap in the definitive map network between C2093/20 (reference given on Shropshire County Council's List of Streets) and C2102/70 (reference given on Shropshire County Council's List of Streets).

From the documents examined it is possible to establish that part of the case file route is shown on the Finance Act Survey map. It 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. One Non-Ordnance Survey Commercial map demonstrates evidence of public status over the route; it is included in the key as a "Cross Road". 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.

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 as 'un-metalled Road'. 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" Revised New Series maps will be taken as evidence of the existence of public vehicular rights. The case file route is not shown in this way and it is considered therefore that a public vehicular right of way cannot be shown to have existed over the route at the time of the survey.

It is also shown as a physical feature on the supporting Ordnance Survey records.

No evidence was found to clarify the class of public rights over the route but it is shown in part on a Non-Ordnance Survey Commercial map under the heading "Cross Roads". The default class of public footpath for part of the route (A to B) and a public bridleway for the rest of the route (B to F) is therefore suggested as being appropriate. In the absence of evidence of stopping up, these rights can be assumed to exist today.

The evidence found meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981 that a public right of way subsists or is reasonably alleged to subsist and has therefore been categorised as "Strong" for part of the route (B to F), supporting the making of a definitive map modification order application to add the

route to the Definitive Map. For part of the route (A to B) no evidence was found to suggest that the class of public rights over the route was higher than that currently recorded on the definitive map. This section of the case file route has therefore been categorised as “insufficient evidence for further action”.

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 3.3: Finance Act Records
Discovering Lost Ways Research Standard 3.7: Ordnance Survey Records
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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