
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 A (OSGR SJ5547 2803) to Point C (OSGR SJ5543 2810) and upgrading to a bridleway the footpath which runs from Point C (OSGR SJ5543 2810) to point B (OSGR SJ5548 2818) 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/125/002 BHS which contains copies of the following documents or extracts thereof:**
- Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWIS (...)" dated 1808
- Estate Map, SHR 4620/2, entitled "Lee Parish 1819", dated 1819
- 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 Surveyors Drawings, BL 320 (E), entitled "PART of SHROPSHIRE", dated 1827
- Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1 mile, entitled "Folder 1 1833 - 1835", dated 1833 - 1835
- Estate Map, SHR 2965/1, entitled "ESTATE IN THE PARISH OF LEE BROCKHURST WITH LAND IN THE TOWNSHIP OF ASTON IN THE PARISH OF WEM", dated 1835
- Tithe Map, TNA IR 30/29/160, entitled "Chapelry of WESTON and WIXHILL in the district of Hodnet, Salop", dated 1840
- Tithe Map, TNA IR 30/29/194, entitled "MAP of the PARISH of LEE BROCKHURST in the COUNTY OF SALOP", dated 1847
- Ordnance Survey 25" 1st Edition, BL Vol 689 (40), entitled "Shropshire Sheet (Northern Division) Sheet XXII.1 - Weston and Wixhill under Redcastle, Stanton Upon Hine Heath, Lee Brockhurst and Wem Parishes", dated 1880
- Ordnance Survey 25" 2nd Edition, BL 1601 (17-32), entitled "SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII. 1.-16.", dated 1900
- Finance Act Survey Map, TNA IR 132/4/223, entitled "SHROPSHIRE SHEET XXII.1 - SECOND EDITION 1901", dated c1910

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

Signed:



Date: 03/09/2020

Wildlife and Countryside Act 1981

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

For a route at Holloway in the Parish of Weston-under-Redcastle, Shropshire to be shown as a Public Bridleway

Applicant's Reference: DLW SH/125/002



03/09 / 2020

Map produced from extract of Ordnance Survey 1:25,000 scale mapping. When printed on A4 paper, the scale will be not less than 1:25,000 and thus meets the requirement of regulation 2 and regulation 8(2) of The Wildlife and Countryside (Definitive Maps and Statements)



Client:

**Natural England
Discovering Lost Ways Project**

Case File Ref. No.	SH/125/002
Name	Un-named
Historic County	Shropshire
Sub-Unit	Shropshire Sub-unit 1
Parish(es)	Weston-under-Redcastle
Surveying Authority	Shropshire County Council
Definitive Map Ref. No.	Part 0232/UN1-0/FP
Other Designation(s) Ref. No.	None
Route Length	238 metres
OS 1:10,000 Sheet(s)	SJ52NE
Grid Ref (start)	SJ5547 2803
Grid Ref (end)	SJ5548 2818
ARU ASSESSMENT OUTCOME	
Status/Class	Public carriageway
Strength	Strong
Comment	Shown uncoloured and excluded from the hereditaments in the Finance Act map

Date:

02 May 2008

LandAspects
Rowan House
Lloyd Drive
Ellesmere Port
Cheshire CH65 9HQ

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1. Summary of Findings

Case SH/125/002 was included in the research scope as part of the Discovering Lost Ways by Shropshire County Council as it was considered to be part of a route with an anomaly in its outlet to the north.

From the documents examined it is possible to establish that the case file route is shown in the Finance Act Survey map as 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. The route is shown as a through-route on two Tithe Survey maps. The route is also shown on two Estate maps as a through-route. The route is further described under the heading "Main Roads" in the Characteristics Sheet for the OS 25" 2nd Edition maps. The route is shown on two Non-Ordnance Survey Commercial maps. On one map (Greenwood's) the route is 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 route is further described under the heading "Turnpike Roads" in the map key on Baugh's map.

There is evidence from two Non-OS Commercial maps to suggest the existence of at least bridleway rights. The route is shown on the 1" Revised New Series map and is described under the heading "First 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. Taking this evidence in conjunction with the evidence for the route as a through-route on four different maps and the fact that the route is also described under the heading "Main Roads" on the OS 25" 2nd Edition Characteristics Sheet suggests that the route has vehicular rights. The class of public carriageway is considered to be 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", supporting the making of a definitive map modification order application to add the route to the Definitive Map.

The ARU recommend that a check be made for any side roads orders made when the A49 was realigned, as it is quite possible that it was stopped up at that time, or that only lower public rights were preserved.

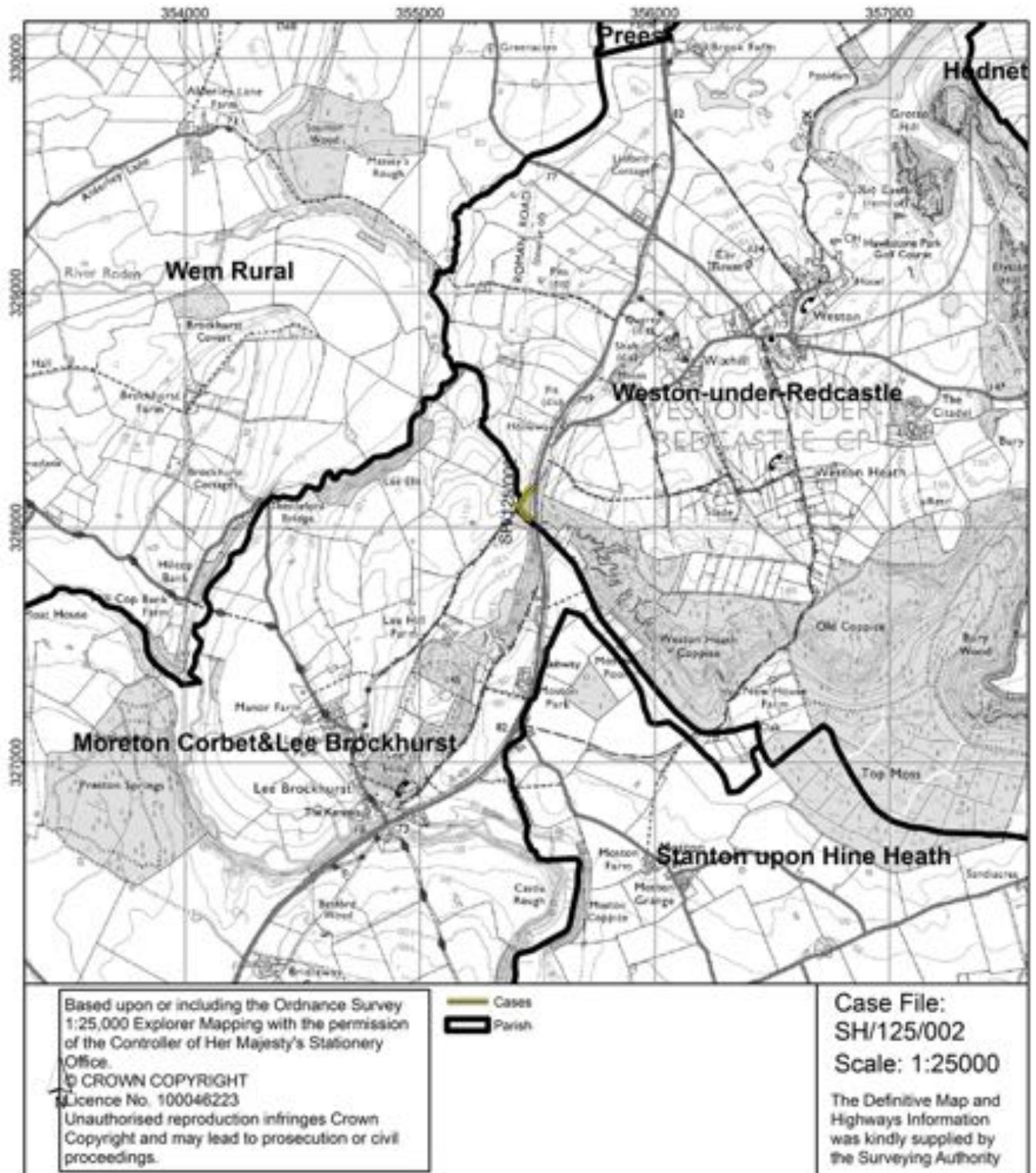
2. Description of Route

The route begins at coordinate SJ5547 2803 (point A on the Case File Route Map). The route then heads in a northerly direction to where it terminates at coordinate SJ5548 2818 (point B on the Case File Route Map).

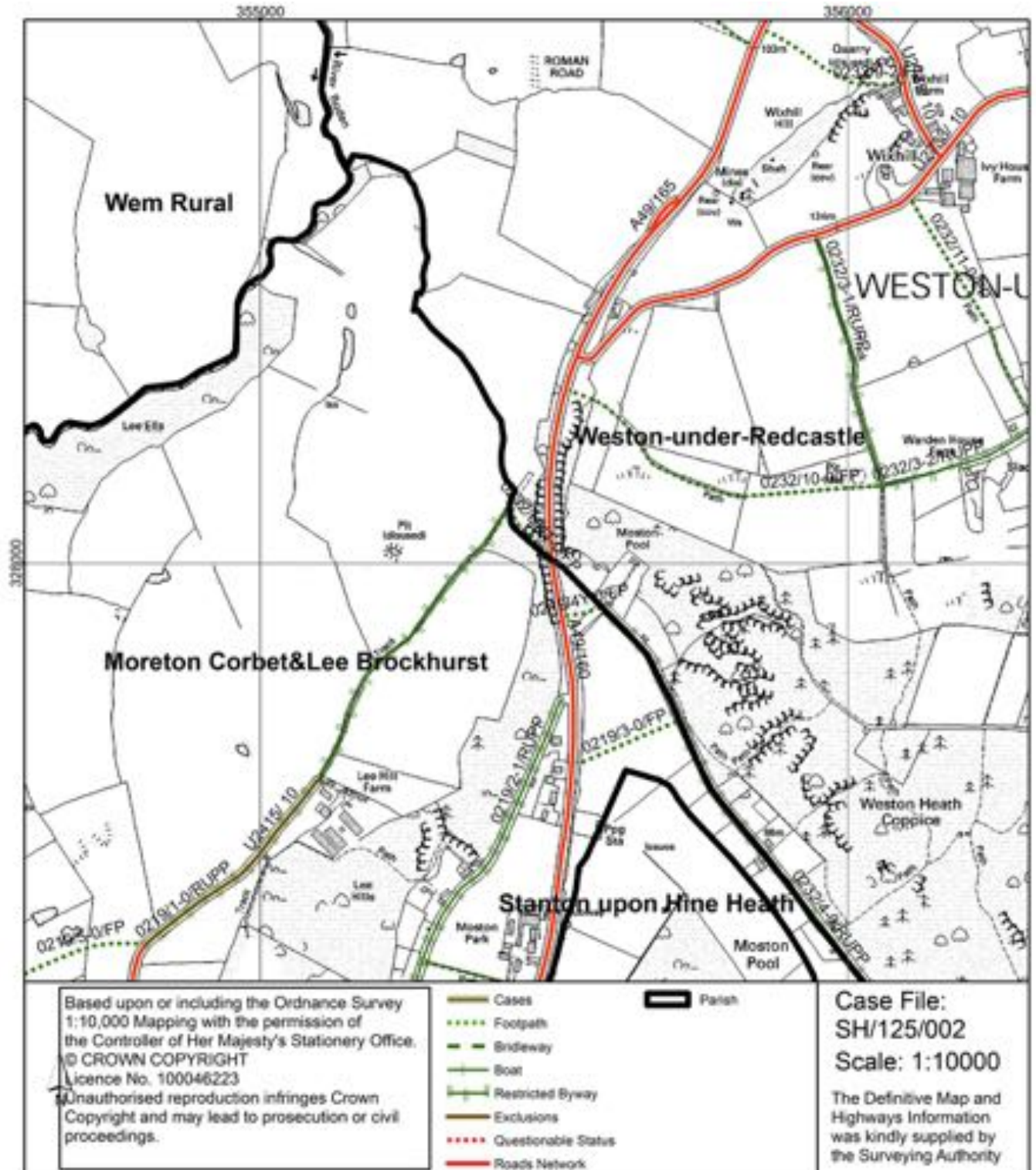
The route has a length of 238 metres.

During the research process, the whole of the case file reference number SH/125/002 was identified with the case route number T000755. Both references are used in section 6 of this report. Where documents are considered to contain relevant evidence the case route number is used (in bold). Where there is no evidence the case file reference number is used (plain text).

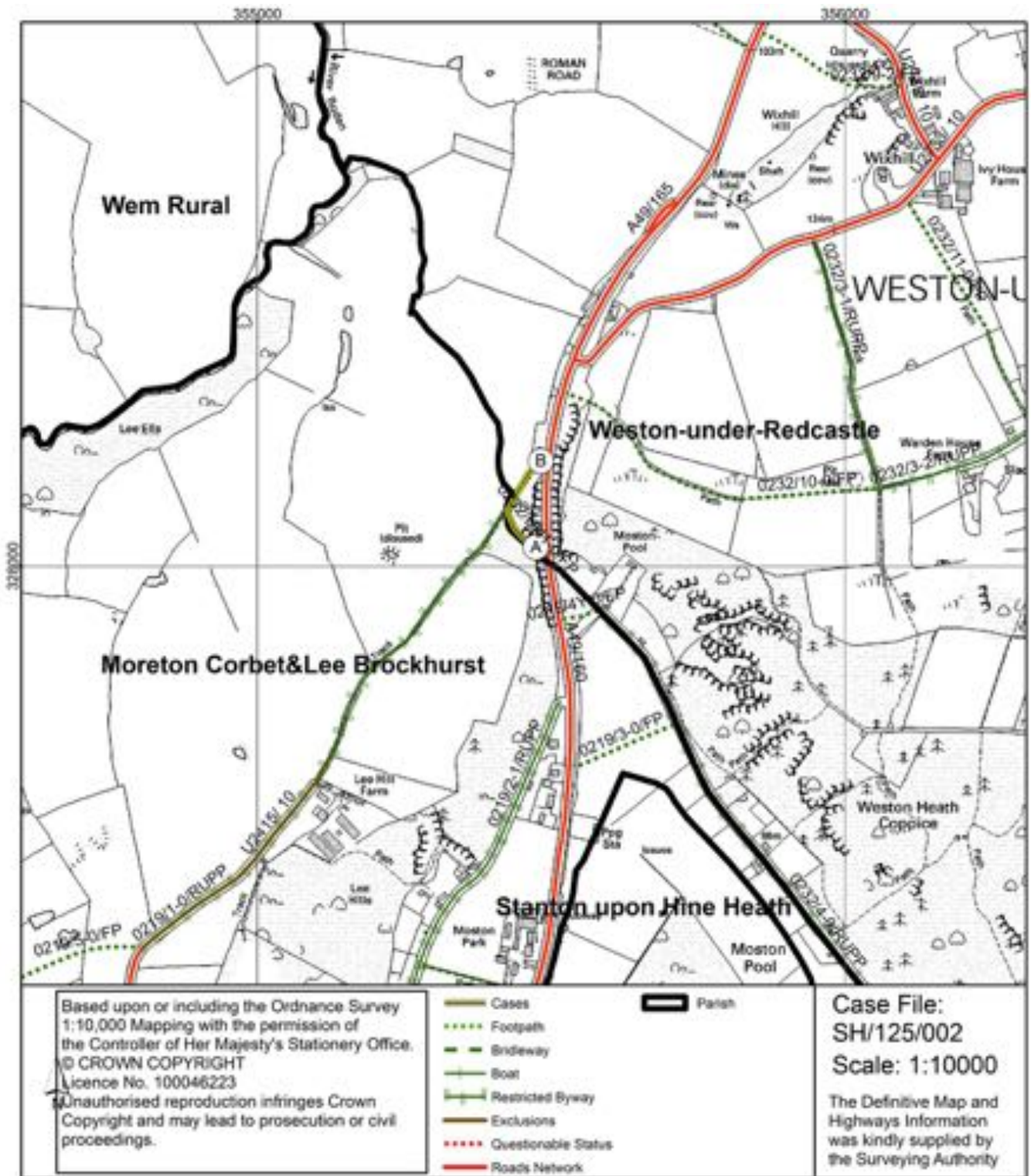
3. Location Plan



4. Current Definitive Paths



5. Case File Route Map



6. Details of Documentary Evidence

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

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

The following records were examined as part of the research programme. The documents are listed in chronological order. Those documents that are considered to contain relevant evidence for case SH/125/002 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 POWLS 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 T000755. The route is observed to commence to the south of the letter "t" of "Weston" marked on the map. The route is shown on the map and is described in the map key under the heading "Turnpike Roads". The route is observed to terminate to the south of the letter "o" of "Weston" marked on the map.

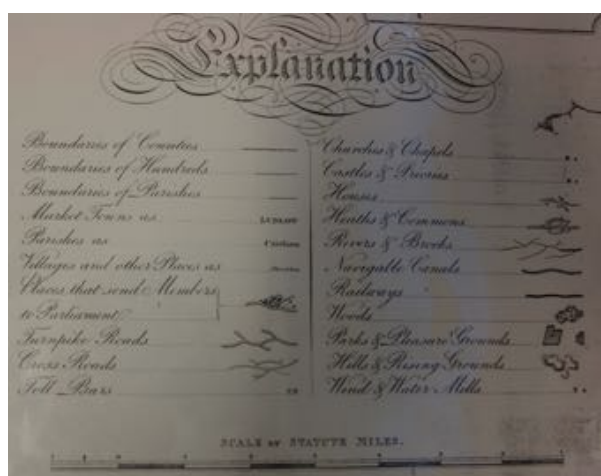




2. Estate Map, SHR 4620/2, entitled "Lee Parish 1819", dated 1819, demonstrates evidence for all of route T000755. The route is observed to commence at the north west corner of parcel number "34" on the map. The route is shown on the map un-numbered and not within a numbered parcel and is depicted as consisting of two parallel solid black lines. The route is shown as a through route and is annotated on the map as "To Prees". The route is observed to terminate to the east of parcel number "44" on the map where the route is observed to continue beyond the extents of the mapped area.



3. 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 T000755. The route is observed to commence to the north east of "Lee Brockhurst" marked on the map. The route is shown on the map and is described in the map key under the heading "Cross Roads". The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate to the south west of "TB" marked on the map.



4. Ordnance Survey Surveyors Drawings, BL 320 (E), entitled "PART of SHROPSHIRE", dated 1827, demonstrates evidence for all of route T000755. The route is observed to commence to the north east of "Lee Brockhurst" marked on the map. The route is shown coloured on the Ordnance Surveyor's Drawing and is depicted as consisting of two parallel solid black lines (in-filled). The route is observed to terminate to the north of the commencement point on the map.



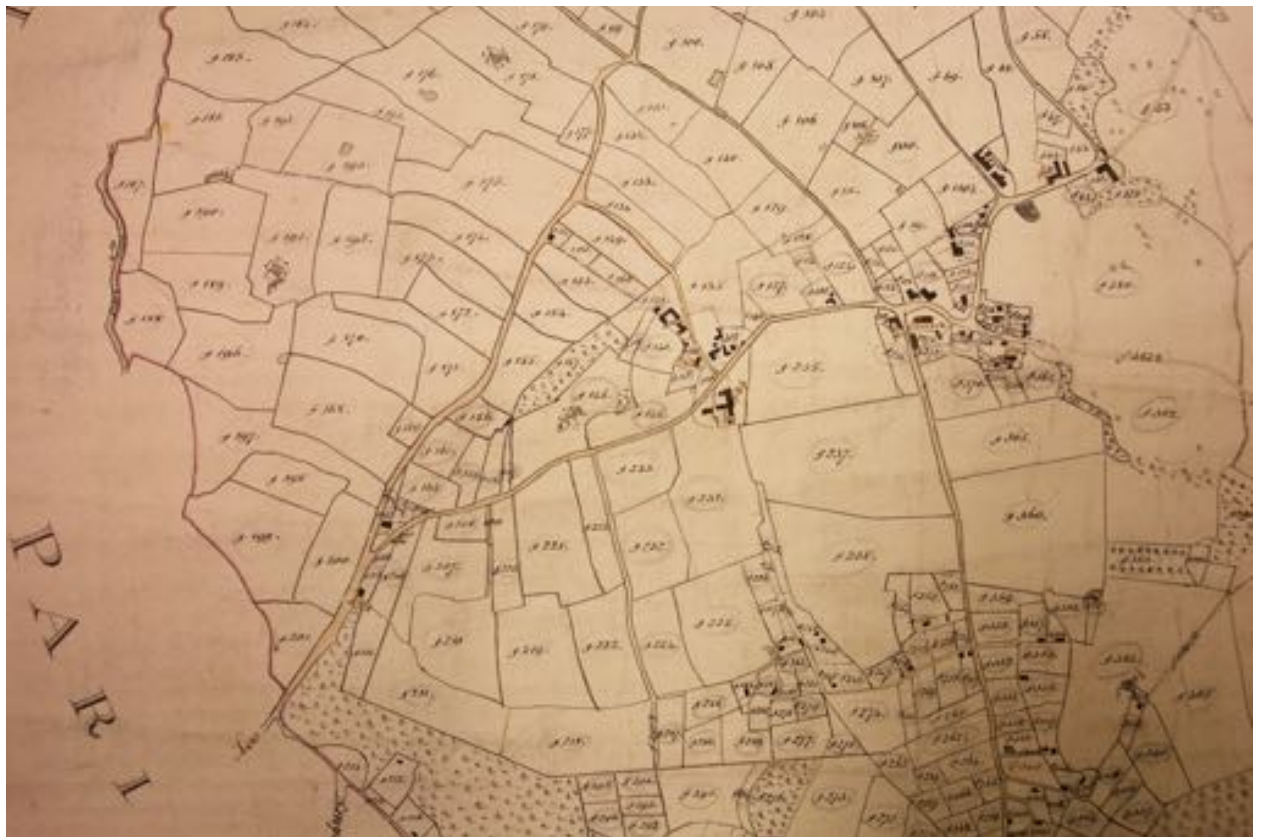
5. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1mile, entitled "Folder 1 1833 - 1835", dated 1833 - 1835, demonstrates evidence for all of route T000755. The route is observed to commence to the south west of "Slade" marked on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is observed to terminate to the south of "Holloway" marked on the map.



6. Estate Map, SHR 2965/1, entitled "ESTATE IN THE PARISH OF LEE BROCKHURST WITH LAND IN THE TOWNSHIP OF ASTON IN THE PARISH OF WEM", dated 1835, demonstrates evidence for part of route T000755. The route is observed to commence at the north west corner of parcel number "78" 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 shown as a through route and is annotated on the map as "To Whitchurch". The route is observed to terminate at the north east corner of parcel number "55" on the map where the route is observed to continue beyond the extents of the mapped area.



7. Tithe Map, TNA IR 30/29/160, entitled "Chapelry of WESTON and WIXHILL in the district of Hodnet, Salop", dated 1840, demonstrates evidence for part of route T000755. The route is observed to commence at the south west corner of parcel number "f213" marked in the south west corner of 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. The route is shown as a through-route and is annotated on the map as "Lee". The route is observed to terminate to the west of "f212" on the map.



8. Tithe Apportionment, TNA IR 29/29/160, entitled "APPORTIONMENT or RENT-CHARGE in lieu of TITHES in the Parish of Hodnet in the County of Salop", dated 1840, covers the area but demonstrates no evidence for case SH/125/002.

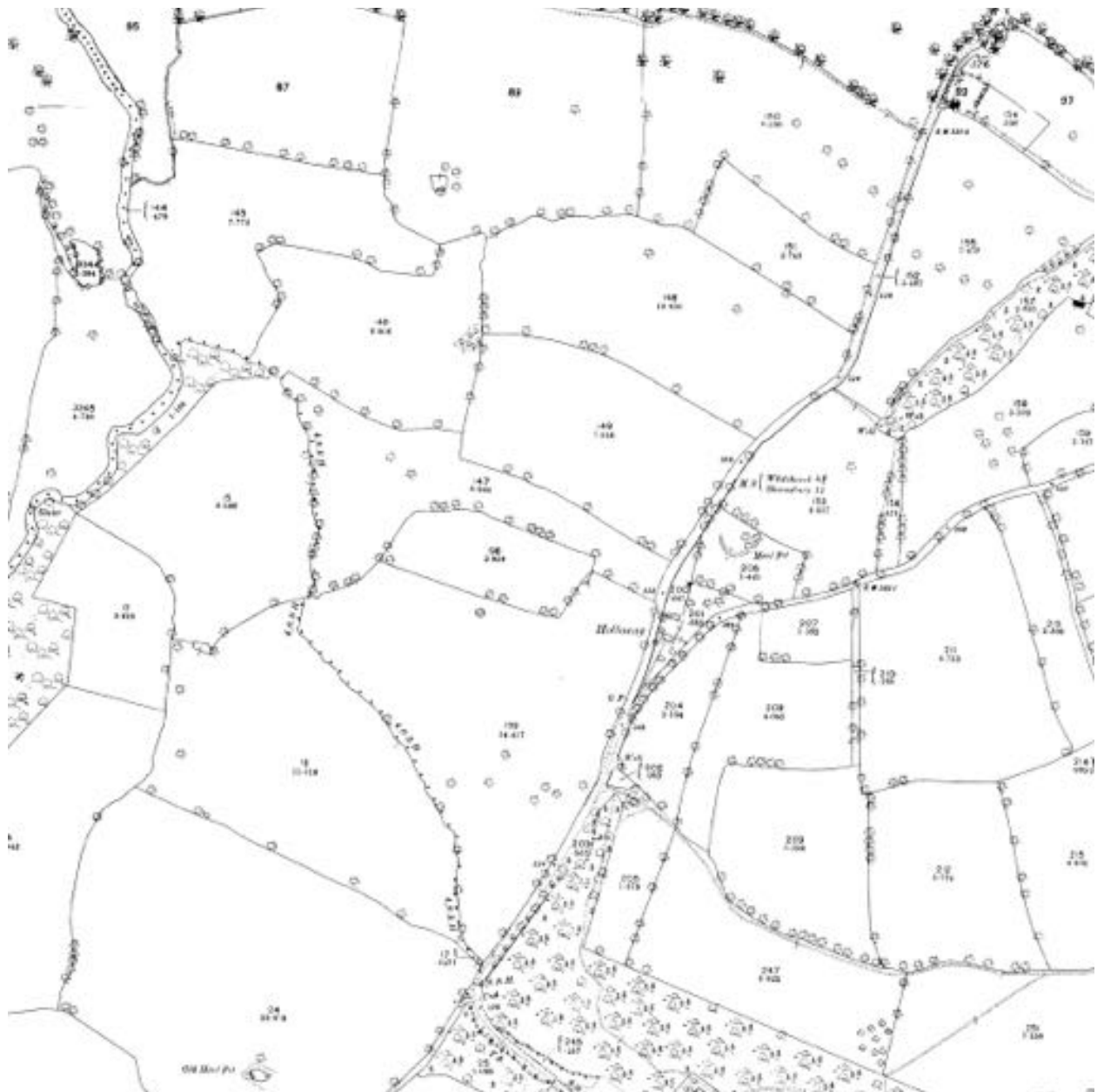
9. Tithe Map, TNA IR 30/29/194, entitled "MAP of the PARISH of LEE BROCKHURST in the COUNTY OF SALOP", dated 1847, demonstrates evidence for part of route T000755. The route is observed to commence at the north west corner of parcel number "128" on the map. The route is shown but is un-numbered and not 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 annotated on the map as "To Whitchurch". The route is observed to terminate at the north east corner of parcel number "57" on the map where the route is observed to continue beyond the extents of the mapped area.



10. Tithe Apportionment, TNA IR 29/29/194, entitled "APPORTIONMENT of the RENT-CHARGE in lieu of TITHES in the Parish of Lee Brockhurst in the County of Salop", dated 1847, covers the area but demonstrates no evidence for case SH/125/002.

11. Ordnance Survey 25" 1st Edition, BL Vol 689 (40), entitled "Shropshire Sheet (Northern Division) Sheet XXII.1 - Weston and Wixhill under Redcastle, Stanton Upon Hine Heath, Lee Brockhurst and Wem Parishes", dated 1880, demonstrates evidence for all of route T000755. The route is observed to commence at the south east corner of parcel number "25" on the map. The route is shown on the map un-numbered and is depicted as consisting of two parallel dashed black lines. The route is observed to change physical characteristics at the north west corner of parcel number "25" on the map. From here the route is depicted as consisting of two parallel black lines (solid and dashed). The route is observed to terminate midway along the western edge of parcel number "203" on the map.



12. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the parish of Wem, Shropshire, Northern Division", dated 1881, covers the area but demonstrates no evidence for case SH/125/002.

13. 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/125/002.

14. 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/125/002.

15. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Lee Brockhurst, Shropshire (Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/125/002.

16. Ordnance Survey 25" 2nd Edition, BL 1601 (17-32), entitled "SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII. 1.-16.", dated 1900, demonstrates evidence for all of route T000755. The route is observed to commence to the south east of "T.B." marked in the south west corner of the map. The route is shown on the map un-named and is depicted as consisting of two parallel dashed black lines. The route is observed to change physical characteristics at the north east corner of parcel number "12" on the map. From here the route is depicted as consisting of two parallel black lines (solid and dashed). This length of the route is described under the heading "Main Roads" in the Characteristics Sheet. The route is observed to terminate at a point along the eastern edge of parcel number "136" on the map.

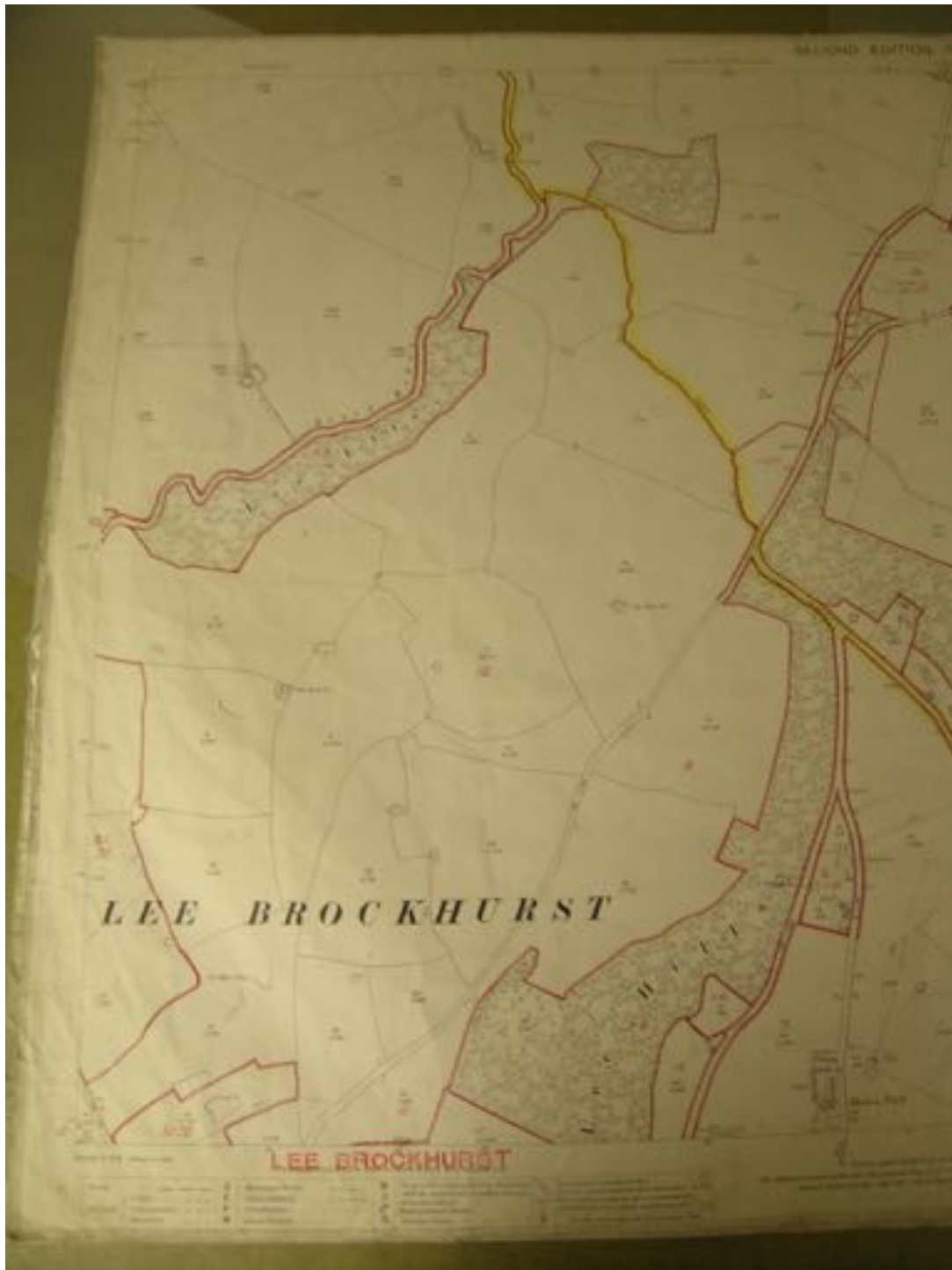


17. Ordnance Survey 25" 2nd Edition ONB, TNA OS/35/5988, entitled "NAME BOOK SHEET 22 SE - PLANS 11,12,15,16", dated 1901, covers the area but demonstrates no evidence for case SH/125/002.

18. Ordnance Survey 1" New Series, BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM", dated 1902, demonstrates evidence for all of route T000755. The route is observed to commence to the east of "Thistleford Br" marked on the map. The route is shown on the map and is described under the heading "First Class Metalled Roads" in the map key. The route is observed to terminate to the north of "Moston Park" on the map.

19. Ordnance Survey 25" 2nd Edition ONB, TNA OS/35/5985, entitled "NAME BOOK SHEET 22 NW - PLANS 1, 2, 5, 6", dated 1923, covers the area but demonstrates no evidence for case SH/125/002.

20. Finance Act Survey Map, TNA IR 132/4/223, entitled "SHROPSHIRE SHEET XXII.1 - SECOND EDITION 1901", dated c1910, demonstrates evidence for all of route T000755. The route is observed to commence at the north west corner of OS parcel number "254" on the map. The route is shown uncoloured and excluded from hereditaments. The route is observed to terminate at the south east corner of OS parcel number "138" 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
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
Estate Records	B(ii)	SHR Map 4620/2 - Lee Parish 1819	1819	6.2	EM2	Shown on map un-numbered and not contained within numbered parcel
					EM5	Annotated as 'to' or 'from' or named i.e. High Street
Ordnance Survey Records Surveyors Drawings	C	SHR Map 320 (E) - PART of SHROPSHIRE	1827	6.4	OSD2	Route shown coloured on Ordnance Surveyor's Drawing
					OSD4	Route un-named on Ordnance Surveyor's Drawing
Ordnance Survey Records 1" Old Series	C	SHR Map Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	6.5	OSM5	Route shown on OS 1" Old Series map
Estate Records	B(ii)	SHR Map 2965/1 -	1835	6.6	EM2	Shown on map un-

		ESTATE IN THE PARISH OF LEE BROCKHURST WITH LAND IN THE TOWNSHIP OF ASTON IN THE PARISH OF WEM				numbered and not contained within numbered parcel
					EM5	Annotated as 'to' or 'from' or named i.e. High Street
Tithe Survey Records	B(ii)	TNA Map IR/30/29/160 - Chapelry of WESTON and WIXHILL in the district of Hodnet, Salop	1840	6.7	TM3	Route shown on map not numbered specifically or within numbered parcel
					TM6	Annotated 'to', 'from' or named, 'High St'
Tithe Survey Records	B(ii)	TNA Map IR/30/29/194 - MAP of the PARISH of LEE BROCKHURST in the COUNTY OF SALOP	1847	6.9	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 689 (40) - Shropshire Sheet (Northern Division) Sheet XXII.1 - Weston and Wixhill under Redcastle, Stanton Upon Hine Heath, Lee Brockhurst and Wem Parishes	1880	6.11	OSM23	Route specifically numbered on plan
					OSM2	Route un-named on map
Ordnance Survey Records 25" 2nd Edition	B(ii)	BL Map 1601 (17-32) - SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII. 1.-16.	1900	6.16	OSM12	Route Shown on OS 2nd Edition 25" Map
					OSM9	Route un-named on map
Ordnance Survey Records 1" Revised New Series	B(ii)	BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM	1902	6.18	OSM22	Route depicted by 2 bold solid / pecked parallel black lines on map and described as 'First Class Metalled Road' in key / 1" OS Characteristic s Sheet
Finance Act Survey Records	B(i)	TNA Map IR 132/4/223 - SHROPSHIRE SHEET	1299	6.20	FA1	Route excluded from Hdtmt

		XXII.1 - SECOND EDITION 1901				
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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
Estate Records	SHR Map 4620/2 - Lee Parish 1819	1819	RC14	Unspecified
Ordnance Survey Records Surveyors Drawings	SHR Map 320 (E) - PART of SHROPSHIRE	1827	RC14	Unspecified
Ordnance Survey Records 1" Old Series	SHR Map Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	RC14	Unspecified
Estate Records	SHR Map 2965/1 - ESTATE IN THE PARISH OF LEE BROCKHURST WITH LAND IN THE TOWNSHIP OF ASTON IN THE PARISH OF WEM	1835	RC14	Unspecified
Tithe Survey Records	TNA Map IR/30/29/160 - Chapelry of WESTON and WIXHILL in the district of Hodnet, Salop	1840	RC14	Unspecified
Tithe Survey Records	TNA Map IR/30/29/194 - MAP of the PARISH of LEE BROCKHURST in the COUNTY OF SALOP	1847	RC14	Unspecified

Ordnance Survey Records 25" 1st Edition	BL Map Vol 689 (40) - Shropshire Sheet (Northern Division) Sheet XXII.1 - Weston and Wixhill under Redcastle, Stanton Upon Hine Heath, Lee Brockhurst and Wem Parishes	1880	RC14	Unspecified
Ordnance Survey Records 25" 2nd Edition	BL Map 1601 (17- 32) - SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII. 1.-16.	1900	RC14	Unspecified
Ordnance Survey Records 1" Revised New Series	BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM	1902	RC12	Road
Finance Act Survey Records	TNA Map IR 132/4/223 - SHROPSHIRE SHEET XXII.1 - SECOND EDITION 1901	1299	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
Estate Records	SHR Map 4620/2 - Lee Parish 1819	1819	PA1	two parallel solid black lines
Ordnance Survey Records Surveyors Drawings	SHR Map 320 (E) - PART of SHROPSHIRE	1827	PA3	two parallel solid black lines (in-filled)
Ordnance Survey Records 1" Old	SHR Map Ordnance Survey Old Series	1833 - 1835	PA1	two parallel solid black lines

Series	1": 1mile - Folder 1 1833 - 1835			
Estate Records	SHR Map 2965/1 - ESTATE IN THE PARISH OF LEE BROCKHURST WITH LAND IN THE TOWNSHIP OF ASTON IN THE PARISH OF WEM	1835	PA3	two parallel solid black lines (in-filled)
Tithe Survey Records	TNA Map IR/30/29/160 - Chapelry of WESTON and WIXHILL in the district of Hodnet, Salop	1840	PA1	two parallel solid black lines
Tithe Survey Records	TNA Map IR/30/29/194 - MAP of the PARISH of LEE BROCKHURST in the COUNTY OF SALOP	1847	PA1	two parallel solid black lines
Ordnance Survey Records 25" 1st Edition	BL Map Vol 689 (40) - Shropshire Sheet (Northern Division) Sheet XXII.1 - Weston and Wixhill under Redcastle, Stanton Upon Hine Heath, Lee Brockhurst and Wem Parishes	1880	PA7	two parallel black lines (solid and dashed)
			PA2	two parallel dashed black lines
Ordnance Survey Records 25" 2nd Edition	BL Map 1601 (17- 32) - SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII. 1.-16.	1900	PA7	two parallel black lines (solid and dashed)
			PA2	two parallel dashed black lines
Ordnance Survey Records 1" Revised New Series	BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM	1902	PA1	two parallel solid black lines
Finance Act Survey Records	TNA Map IR 132/4/223 - SHROPSHIRE SHEET XXII.1 - SECOND EDITION 1901	1299	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 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. Tithe Survey Records

Two Tithe Survey maps demonstrate evidence for the route. The route is shown unnumbered on both maps therefore there is no evidence for the route in the associated apportionments. The route is annotated as a through-route on both Tithe Survey maps.

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. Non-Ordnance Survey Commercial Mapping

The route is shown on two Non-Ordnance Survey Commercial maps. On one map (Greenwood's) the route is 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 route is further described under the heading "Turnpike Roads" in the map key on Baugh's map.

4. Estate Records

Two Estate maps demonstrate evidence for the route. The route is shown but is unnumbered and not within a numbered parcel but is annotated as a through-route on both maps.

5. Ordnance Survey Records

a. Ordnance Survey Surveyors Drawings

The Ordnance Survey Surveyors Drawing demonstrates evidence the route as a physical feature only. The route is shown coloured on the Ordnance Surveyor's Drawing.

b. Ordnance Survey 1" Old Series

The Ordnance Survey 1" Old Series map demonstrates evidence the route as a physical feature only.

c. Ordnance Survey 25" 1st Edition

The Ordnance Survey 25" 1st Edition demonstrates evidence for the route as a physical feature only. The route is shown on the map specifically numbered 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 demonstrates evidence for the route. The route is shown on the map un-named but part of the route is described in the Characteristics Sheet under the heading "Main Roads".

e. Ordnance Survey 1" Revised New Series

Alignment of the case file route:

From the analysis of the early Non-Ordnance Survey Commercial map and modern Ordnance Survey maps the route does not appear to have changed alignment. However, it is considered that the route is a loop left behind by the re-alignment of the A49.

Evidence of Width:

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

Contradictory evidence:

No contradictory evidence was found for the route.

Outcome of the evaluation:

Case SH/125/002 was included in the research scope as part of the Discovering Lost Ways by Shropshire County Council as it was considered to be part of a route with an anomaly in its outlet to the north.

From the documents examined it is possible to establish that the case file route is shown in the Finance Act Survey map as 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. The route is shown as a through-route on two Tithe Survey maps. The route is also shown on two Estate maps as a through-route. The route is further described under the heading "Main Roads" in the Characteristics Sheet for the OS 25" 2nd Edition maps. The route is shown on two Non-

Ordnance Survey Commercial maps. On one map (Greenwood's) the route is 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 route is further described under the heading "Turnpike Roads" in the map key on Baugh's map.

There is evidence from two Non-OS Commercial maps to suggest the existence of at least bridleway rights. The route is shown on the 1" Revised New Series map and is described under the heading "First 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. Taking this evidence in conjunction with the evidence for the route as a through-route on four different maps and the fact that the route is also described under the heading "Main Roads" on the OS 25" 2nd Edition Characteristics Sheet suggests that the route has vehicular rights. The class of public carriageway is considered to be 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", supporting the making of a definitive map modification order application to add the route to the Definitive Map.

The ARU recommend that a check be made for any side roads orders made when the A49 was realigned, as it is quite possible that it was stopped up at that time, or that only lower public rights were preserved.

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 3.9: Estate Records
Discovering Lost Ways Research Standard 4.0: Combining & Evaluating Evidence

Appendix B - Acknowledgements

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