
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 SJ4069 3249) to Point B (OSGR SJ4126
3252) 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/073/009BHS which contains copies of the following documents or extracts thereof:***
- Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 1, entitled "To the Right Honorable EDWARD EARL OF POWIS Lord Lieutenant [...] dedicated by his Lordship's obliged and obedient servant ROBERT BAUGH", dated 1808
- Ordnance Survey Surveyors Drawings, BL, 316, entitled "PARTS OF Cheshire, Shropshire, Flintshire and Denbighshire", survey date 1819
- 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" 1st Edition, entitled "Shropshire Sheet XIII.7, dated 1875
- Ordnance Survey 25" 2nd Edition, SHROPSHIRE SHEET 7", dated 1901
- Ordnance Survey 1" New Series, sheet 138, entitled "OS of England WEM", dated 1899
- Finance Act Map, TNA IR132/4/108, entitled "Shropshire Sheet XIII. 7 2nd Edition 1901", dated 1909-1910

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



Signed:

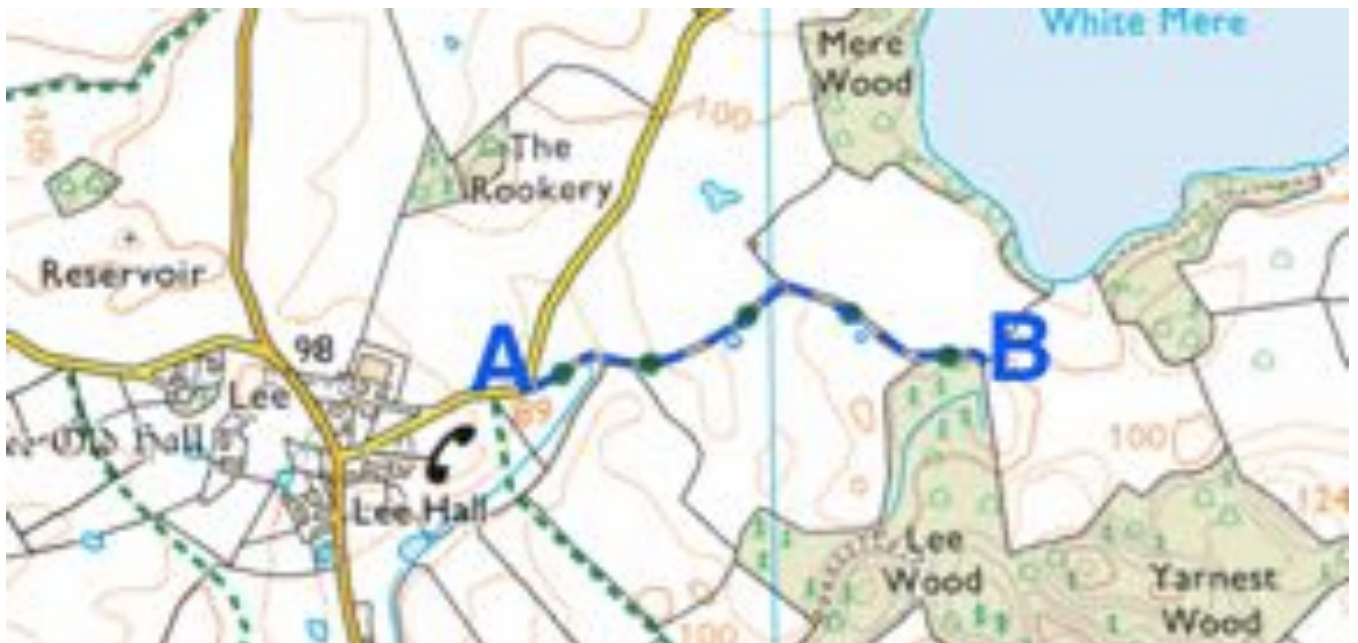
Date: 27/08/2020

Wildlife and Countryside Act 1981

Map to Accompany Definitive Map Modification Order Application

For a route at Lee Hall in the Parish of Ellesmere Rural, Shropshire to be shown as a
Public Bridleway

1. *Applicant's Reference: DLW SH/073/009*



27 / 08 / 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/073/009
Name	Un-named
Historic County	Shropshire
Sub-Unit	Shropshire Sub-unit 1
Parish(es)	Ellesmere Rural
Surveying Authority	Shropshire County Council
Definitive Map Ref. No.	None
Other Designation(s) Ref. No.	List of Streets U1347/10
Route Length	636 metres
OS 1:10,000 Sheet(s)	SJ43SW
Grid Ref (start)	SJ4069 3249
Grid Ref (end)	SJ4126 3252
ARU ASSESSMENT OUTCOME	
Status/Class	Public Carriageway
Strength	Strong
Comment	Shown un-coloured and excluded from hereditaments on finance act map. Described on the OS 1" New Series as 3 rd class metalled road.

Date:

24 September 2007

LandAspects
Rowan House
Lloyd Drive
Ellesmere Port
Cheshire CH65 9HQ

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1. Summary of Findings

Case file SH/073/009 was included in the research scope by the Discovering of Lost Ways Project as the route is shown on the Ordnance Survey Explorer Mapping as an “Other Route with Public Access” (ORPA). The route is not currently recorded on the Definitive Map and Statement, but is adopted by Shropshire County Council and recorded on the List of Streets (which is given reference U1347/10 on the List of Streets).

The Tithe Survey map shows the route annotated at its eastern end as “To Colemere”, which is taken to indicate a reputation of the route a through-public highway. From the documents examined it is possible to establish that the case file route is part shown on the Finance Act 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” New Series map, demonstrates evidence for the route. The route is shown on the map and is described in the key as “3rd class metalled roads”. For the purpose of the Discovering Lost Ways Project research it has been agreed that the showing of routes as 1st, 2nd or 3rd class metalled roads on OS 1” New Series maps will be taken as evidence of the existence of public vehicular rights. It is considered therefore that a public vehicular right of way existed over the route at the time of the survey. The overall conclusion is that the class which is most consistent with the evidence is that of public carriageway.

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.

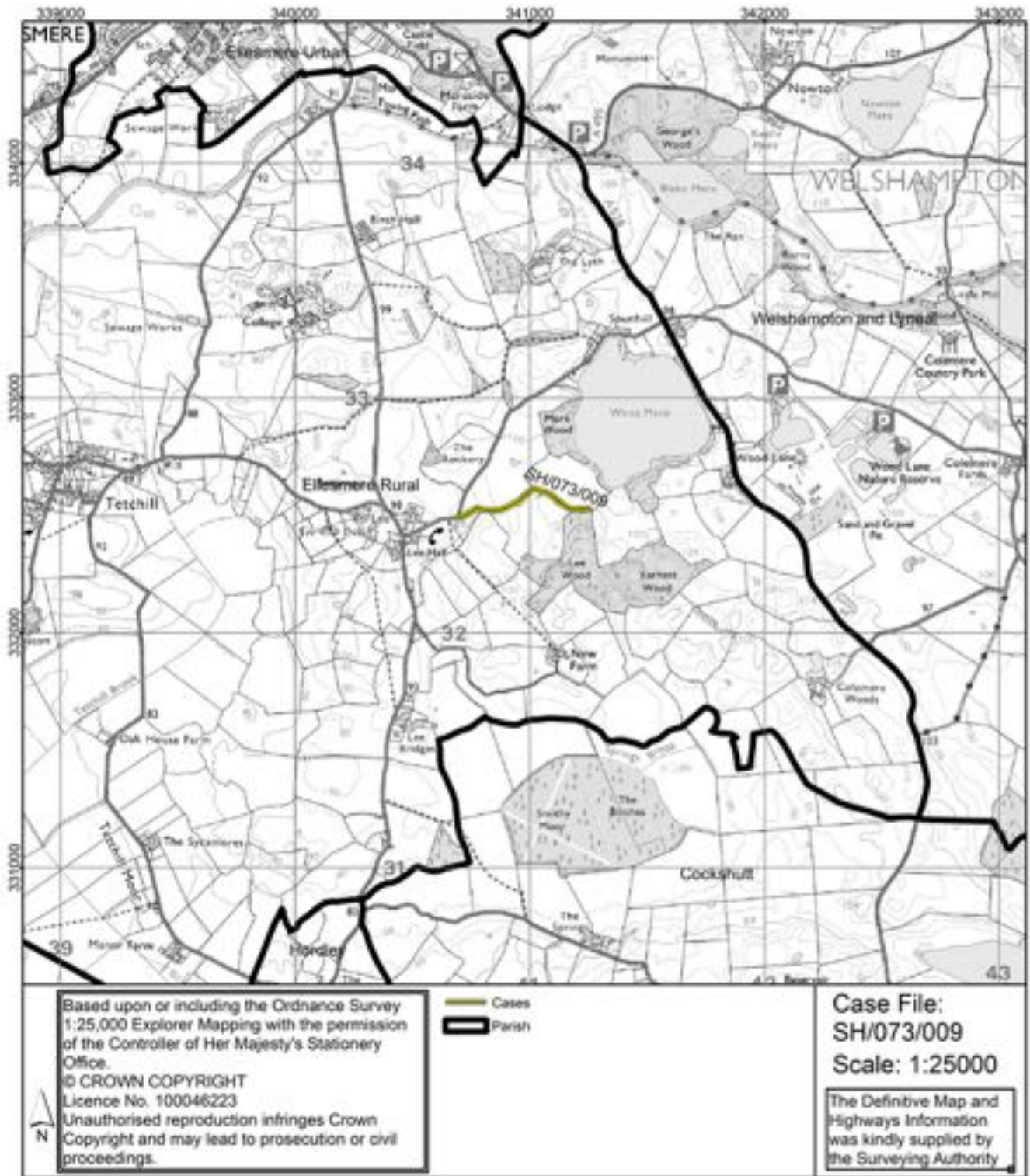
2. Description of Route

The route begins on U1347/10 (which is the reference it is given on Shropshire County Council's List of Streets) at the junction with U1302/10 (which is the reference it is given on Shropshire County Council's List of Streets) at coordinate SJ4069 3249 (point A on the Case File Route Map). The route continues along U1347/10 in an easterly direction to coordinate SJ4126 3252, where this route terminates (point B on the Case File Route Map).

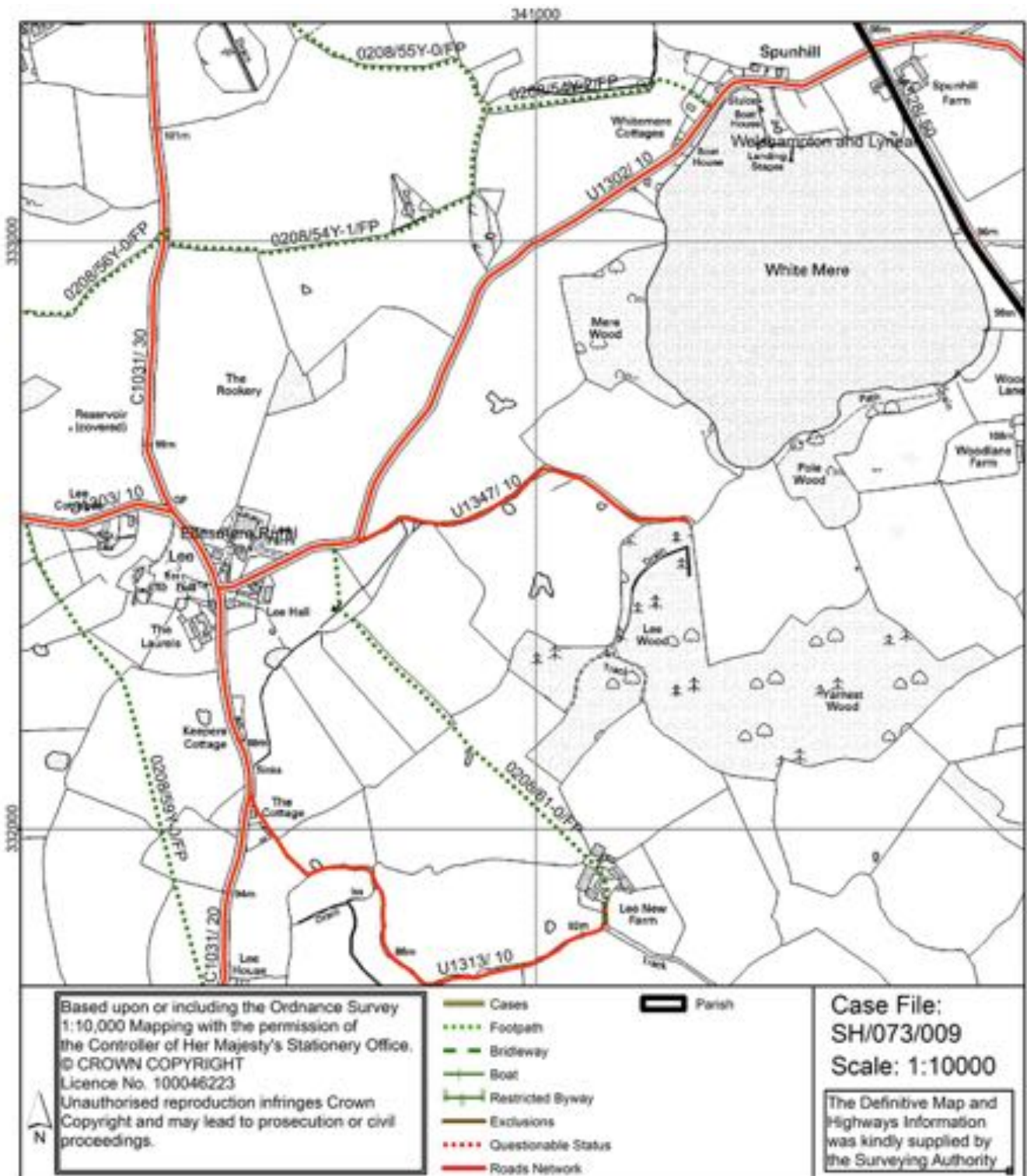
The route has a length of 636 metres.

During the research process, the whole of the case file reference number SH/073/009 was identified with the case route number T000656. 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).

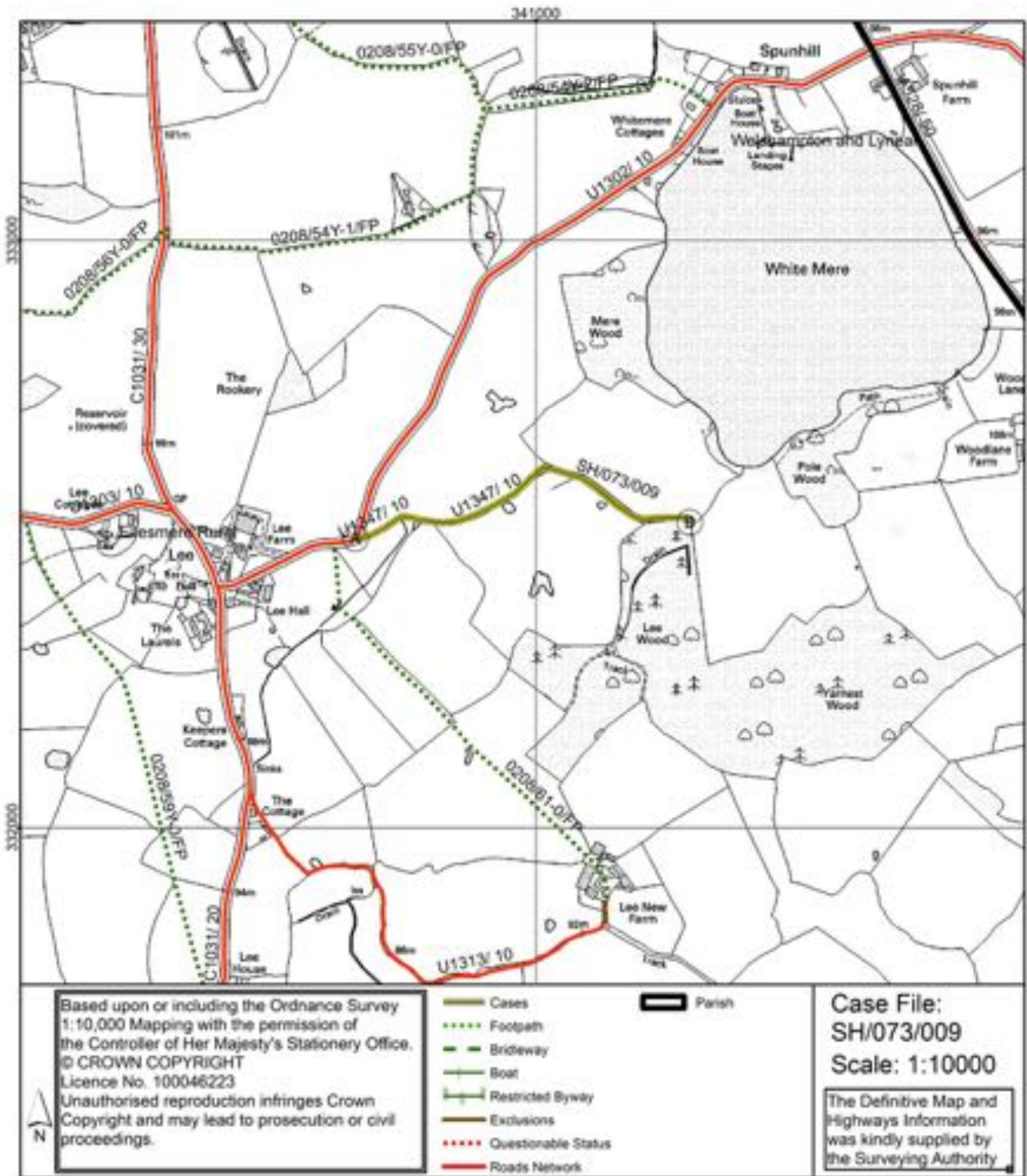
3. Location Plan



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/073/009 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 1, 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, demonstrates evidence for part of route T000656. The route is observed to commence at a point south of the "M" of White Mere". Part of the route is depicted on the map with two parallel black solid lines and is not described in the map key. The route is observed to terminate at a point to the north west of the "L" of "Lee" on the map.

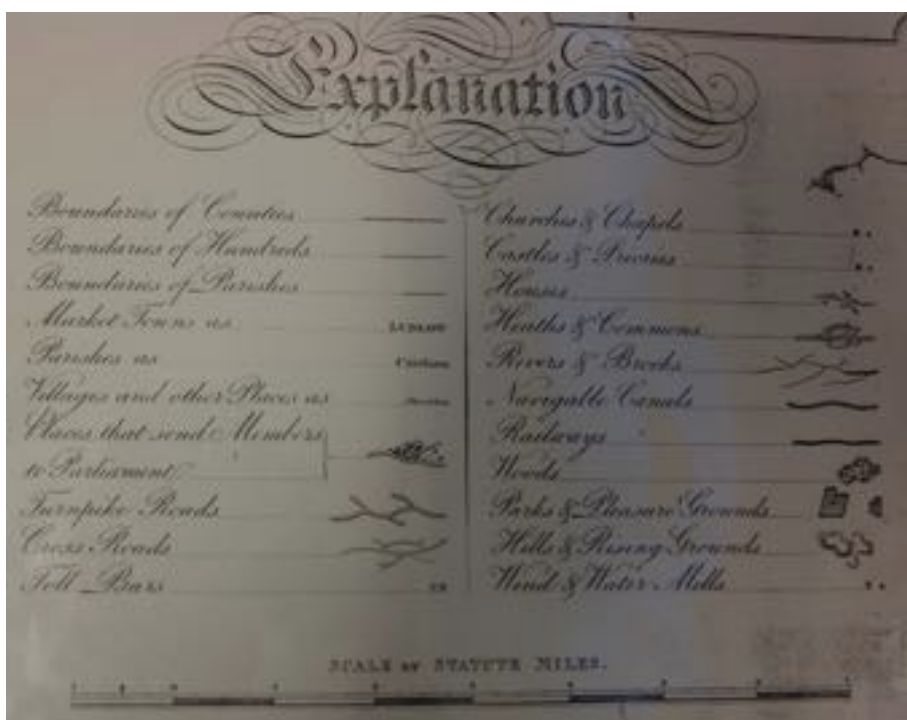




2. Ordnance Survey Surveyors Drawings, BL, 316, entitled "PARTS OF Cheshire, Shropshire, Flintshire and Denbighshire", survey date 1819, demonstrates evidence for all of route T000656. The route is observed to commence at a point east of "LEE" on the map. The route is shown uncoloured and un-named on the map and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a point east of the commencement point at the north-east corner of a wooded area, although the route shown on the map continues to the east to join a road.



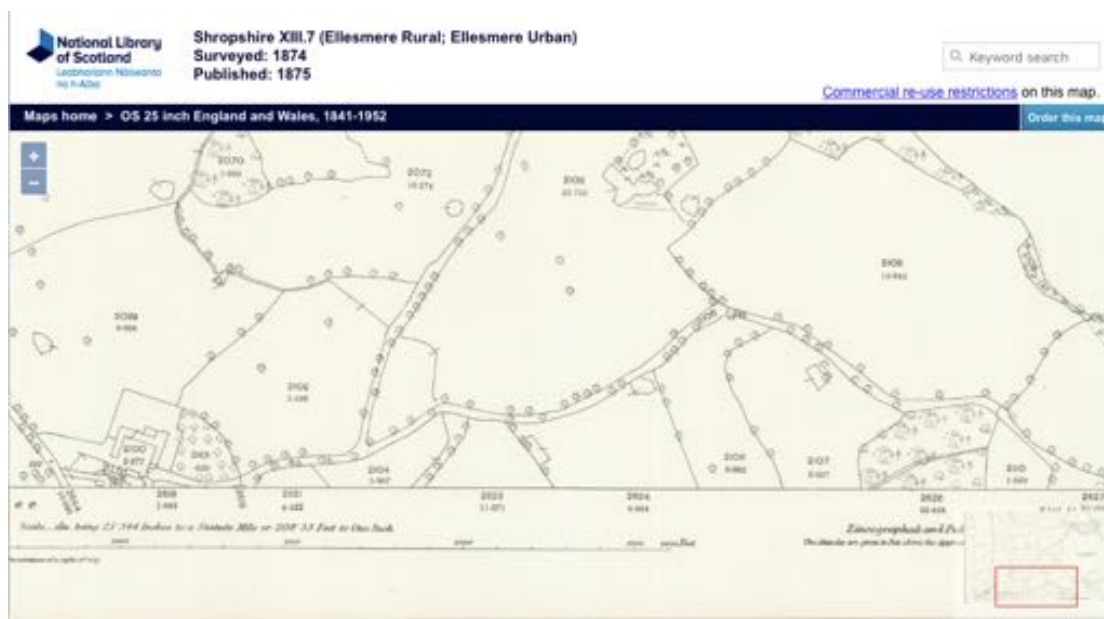
3. Non-Ordnance Survey Commercial Map, SHR GREENWOODS 1827, entitled "Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1826&1827 BY C. & J. GREENWOOD", dated 1827, demonstrates evidence for all of route T000656. The route is observed to commence at a road junction north of the "L" of "Lee". The route is depicted on the map with two parallel black solid lines and is included in the key under "Cross Roads". The route is observed to terminate at a point to the south of the word "White Mere" on the map.



4. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1mile, entitled "Folder 1 1833 - 35", dated 1833 - 35, demonstrates evidence for all of route T000656. The route is observed to commence at a road junction east of the word "Lee" 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 at the north-east corner of a wooded area named "Lee Wood" on the map.

5. Tithe Map, TNA IR 30/29/122, entitled "Part 17: PLAN of the TOWNSHIP OF LEE IN THE PARISH OF ELLESMERE AND COUNTY OF SALOP", dated 1839, demonstrates evidence for all of route T000656. The route is observed to commence at a road junction north of parcel "67" on the map. The route is shown but is un-numbered and not within a numbered parcel. It is depicted as consisting of two parallel solid black lines and shown as a through-route "To Colmere". The route is observed to terminate at a gate in the south east corner of parcel "16" on the map.

6. Ordnance Survey 25" 1st Edition, BL, Vol 687 (7), entitled "Shropshire (Northern Division) Sheet XIII.7 - Ellesmere Parish", dated 1875, demonstrates evidence for all of route T000656. The route is observed to commence at a road junction at the south eastern corner of parcel number "2102". The route is un-named on the map, but is numbered as parcel "2105". The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a gate in the south east corner of parcel number "2108" on the map.



7. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Ellesmere (Part of), Hundreds of Oswestry and Pimhill, Shropshire", dated 1876, demonstrates evidence for all of route T000656. The route is described on page 34, in parcel number "2105" as "Road".

8. Ordnance Survey 25" 2nd Edition, BL, 1599(7), entitled "SECOND EDITION 1901 SHROPSHIRE SHEET XIII. 7", dated 1901, demonstrates evidence for all of route T000656. The route is observed to commence at a road junction to the north west of parcel "3135". The route is un-named on the map, but is numbered as parcel "3118". The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a gate in the south east corner of parcel "3116" on the map.



9. Ordnance Survey 1" New Series, sheet 138, entitled "OS of England WEM", dated 1899, demonstrates evidence for all of route T000656. The route is observed to commence at "Lee" in grid B1 on the map. This is shown on the map consisting of two solid or pecked fine parallel black lines and is described in the key as '3rd class metalled road' and is depicted as consisting of two parallel solid black lines. This is shown on the map but is un-named. The route observed to terminate at the northern end of "Lee Wood" below "White Mere" on the map.



10. Finance Act Map, TNA IR132/4/108, entitled "Shropshire Sheet XIII. 7 2nd Edition 1901", dated 1909-1910, demonstrates evidence for all of route T000656. The route is observed to commence at a road junction south east of OS land parcel "3124". It is not shown as excluded from the hereditament by a solid ink line but half-braces are used on either side of the route. Each side of the route is shown as being part of hereditament "631". The hereditament boundary is not shown as crossing the route. The route is observed to alter characteristics at the northern edge of OS parcel "3136". It is shown uncoloured and excluded from hereditaments. The route is observed to terminate at the south east corner of OS parcel "3116" where it is gated 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
Non-Ordnance Survey Commercial Map	C	Map SHR R BAUGH 1808 sheet 1 - 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	1808	6.1	NOS1	Route shown on map not described on map or in legend, or no legend present

Document Group	Evidence Cat.	Document	Date	See Section	Code	Code Description
Non-Ordnance Survey Commercial Map	B(ii)	Map SHR R Greenwood's 1827 sheet 1 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1826&1827 BY C. & J. GREENWOOD	1827	6.3	NOS16	Shown on map and depicted or described as driving road or crossroads in key
Ordnance Survey Record 1" Old Series Map	C	Map SHR Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	6.4	OSM5	Route shown on OS 1" Old Series map
Tithe Survey Records	B(ii)	Map TNA IR 30/29/122 - Part 17: Plan of the Township of Lee in the Parish of Ellesmere County of Salop	1839	6.5	TM3	Route shown on map not numbered specifically or within numbered parcel
					TM6	Annotated 'to', 'from' or named, 'High St'
Ordnance Survey Record 25" 1 st Edition	C	Map BL Vol 687 (7) - Shropshire (Nothorn Division) Sheet XIII.7 - Ellesmere Parish	1873	6.6	OSM23	Route specifically numbered on plan
		Book BL - Book of Reference to the Plan of the Parish of Ellesmere (Part of), Hundreds of Oswestry and Pimhill, Shropshire			1876	6.7
Ordnance Survey Record 25" 2 nd Edition Map	C	Map BL 1599 (7) - SECOND EDITION 1901 SHROPSHIRE SHEET XIII. 7.	1900	6.8	OSM12	Route Shown on OS 2nd Edition 25" Map
					OSM9	Route un-named on map
Ordnance Survey Record 1" New Series Map	B(ii)	Map BL 1175 (134) sheet 138 - OS of England WEM	1902	6.9	OSM26	Route described as '3rd class metalled road' on key or Characteristics Sheet
					OSM20	Route un-named on map

Document Group	Evidence Cat.	Document	Date	See Section	Code	Code Description
Finance Act Records	B(i)	Map TNA IR132/4/108 - Shropshire Sheet XIII. 7 2nd Edition 1901	1909-1910	6.10	FA1	Route excluded from Hdtmt
Ordnance Survey Records	C	Map BL 316 - PARTS OF Cheshire, Shropshire, Flintshire and Denbighshire.	1819	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

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
Non-Ordnance Survey Commercial Map	Map SHR R BAUGH 1808 sheet 1 - 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	1808	RC12	Road

Non-Ordnance Survey Commercial Map	Map SHR R Greenwood's 1827 sheet 1 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1826&1827 BY C. & J. GREENWOOD	1827	RC20	Cross Roads
Ordnance Survey Record 1" Old Series Map	Map SHR Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	RC14	Unspecified
Tithe Survey Records	Map TNA IR 30/29/122 - Part 17: Plan of the Township of Lee in the Parish of Ellesmere County of Salop	1839	RC14	Unspecified
Ordnance Survey Record 25" 1 st Edition	Map BL Vol 687 (7) - Shropshire (Nothorn Division) Sheet XIII.7 - Ellesmere Parish	1873	RC14	Unspecified
	Book BL - Book of Reference to the Plan of the Parish of Ellesmere (Part of), Hundreds of Oswestry and Pimhill, Shropshire	1876	RC12	Road
Ordnance Survey Record 25" 2 nd Edition Map	Map BL 1599 (7) - SECOND EDITION 1901 SHROPSHIRE SHEET XIII. 7.	1900	RC14	Unspecified
Ordnance Survey Record 1" New Series Map	Map BL 1175 (134) sheet 138 - OS of England WEM	1902	RC12	Road
Finance Act Records	Map TNA IR132/4/108 - Shropshire Sheet XIII. 7 2nd Edition 1901	1909-1910	RC14	Unspecified
Ordnance Survey Records	Map BL 316 - PARTS OF Cheshire, Shropshire, Flintshire and Denbighshire.	1819	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-Ordnance Survey Commercial Map	Map SHR R BAUGH 1808 sheet 1 - 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	1808	PA1	Two parallel solid black lines
Non-Ordnance Survey Commercial Map	Map SHR R Greenwood's 1827 sheet 1 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1826&1827 BY C. & J. GREENWOOD	1827	PA1	Two parallel solid black lines
Ordnance Survey Record 1" Old Series Map	Map SHR Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	PA1	Two parallel solid black lines
Tithe Survey Records	Map TNA IR 30/29/122 - Part 17: Plan of the Township of Lee in the Parish of Ellesmere County of Salop	1839	PA1	Two parallel solid black lines
Ordnance Survey Record 25" 1 st Edition	Map BL Vol 687 (7) - Shropshire (Nothern Division) Sheet XIII.7 - Ellesmere Parish	1873	PA1	Two parallel solid black lines
	Book BL - Book of	1876	Unspecified	

	Reference to the Plan of the Parish of Ellesmere (Part of), Hundreds of Oswestry and Pimhill, Shropshire			
Ordnance Survey Record 25" 2 nd Edition Map	Map BL 1599 (7) - SECOND EDITION 1901 SHROPSHIRE SHEET XIII. 7.	1900	PA1	two parallel solid black lines
Ordnance Survey Record 1" New Series Map	Map BL 1175 (134) sheet 138 - OS of England WEM	1902	PA1	two parallel solid black lines
Finance Act Records	Map TNA IR132/4/108 - Shropshire Sheet XIII. 7 2nd Edition 1901	1909-1910	PA1	two parallel solid black lines
Ordnance Survey Records	Map BL 316 - PARTS OF Cheshire, Shropshire, Flintshire and Denbighshire.	1819	PA1	two parallel solid black lines

Evidence of width:

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

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

8. Overall Evaluation of Evidence

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

Findings from the main documentary sources:

1. Tithe Survey Records

The Tithe Survey Map demonstrates evidence for the route. The route is shown un-numbered and not within a numbered parcel. The route is depicted as consisting of two parallel solid black lines, and is annotated at its eastern end as "To Colemere". This is interpreted as providing evidence of reputation as a public highway.

2. Finance Act Records

The Finance Act Map shows evidence for the route. It is depicted as consisting of two parallel solid black lines and is shown uncoloured and excluded from hereditaments. This is interpreted as indicating 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 two Non-Ordnance Survey Maps demonstrate evidence for the route. It is shown in part on Baugh's map but it is not described in the map key. The entire length of the route is shown on Greenwood's map where it is described in the key under the heading "Cross Roads". 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.

4. Ordnance Survey Records

The Ordnance Survey records described below are considered to provide evidence of the physical existence of the route from 1819 onwards and as a well-defined track, separated from adjacent enclosures by boundary walls, hedges or fences. With the exception of the 1" New Series map, they are considered to provide neutral evidence of the status of the route.

a) Ordnance Survey 1" Old Series Map

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

b) Ordnance Survey 25" 1st Edition

The Ordnance Survey 25" 1st Edition Map demonstrates evidence for the route. The route is shown on the map and is depicted as consisting of two parallel solid black lines and is specifically numbered on the map, but is un-named. The accompanying Book of Reference describes the route in a manner which fails to confer any indication of status, i.e. as "Road".

c) Ordnance Survey 25" 2nd Edition

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

d) Ordnance Survey 1" New Series

The Ordnance Survey 1" New Series demonstrates evidence for the route. The route is shown on the map as consisting of two solid or pecked fine parallel black lines and is described in the key as '3rd class 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. It is considered therefore that a public vehicular right of way existed over the route at the time of the survey.

e) Ordnance Survey Surveyors Drawings

The Ordnance Survey Surveyors Drawings demonstrates evidence for the route. The route is shown uncoloured and un-named on the Ordnance Surveyor's Drawings and is depicted as consisting of two parallel solid black lines.

Alignment of the case file route:

Greenwood's commercial Non-OS map shows on the western part of the route on its present alignment. To the east a different route is shown. However the Tithe Map and all the Ordnance Survey records from 1819 onwards, including the OS map used as a base map for the Finance Act map,

show the route on the same alignment as Modern Ordnance Survey Maps,

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/073/009 was included in the research scope by the Discovering of Lost Ways Project as the route is shown on the Ordnance Survey Explorer Mapping as an "Other Route with Public Access" (ORPA). The route is not currently recorded on the Definitive Map and Statement, but is adopted by Shropshire County Council and recorded on the List of Streets (which is given reference U1347/10 on the List of Streets).

The Tithe Survey map shows the route annotated at its eastern end as "To Colemere", which is taken to indicate a reputation of the route a through-public highway. From the documents examined it is possible to establish that the case file route is part shown on the Finance Act 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" New Series map, demonstrates evidence for the route. The route is shown on the map and is described in the key as "3rd class metalled roads". For the purpose of the Discovering Lost Ways Project research it has been agreed that the showing of routes as 1st, 2nd or 3rd class metalled roads on OS 1" New Series maps will be taken as evidence of the existence of public vehicular rights. It is considered therefore that a public vehicular right of way existed over the route at the time of the survey. The overall conclusion is that the class which is most consistent with the evidence is that of public carriageway.

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.

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 3.2: Tithe Survey Records
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 4.0: Combining & Evaluating Evidence

Appendix B - Acknowledgements

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