
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 SJ4693 2609) to Point E (OSGR SJ4895 2728) **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/130/001BHS 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
- Ordnance Survey Surveyors Drawings, BL 209, dated 1817
- Non-Ordnance Survey Commercial Map, SHR GREENWOODS 1827, entitled "Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1816 & 1827 (...)", dated 1827
- Ordnance Survey Surveyors Drawings, SHR 320 (E), entitled "PART of SHROPSHIRE", dated 1827
- Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1mile, entitled "Folder 1 1833 - 1835", dated 1833 – 1835
- Tithe Map, TNA IR 30/29/216, entitled "Plan of the PARISH of MIDDLE, IN THE COUNTY of SALOP.", dated 1839
- Tithe Map, TNA IR 30/29/334, entitled "MAP OF THE TOWNSHIP OF SLEAP IN THE PARISH OF WEM IN THE COUNTY OF SALOP– Map in 12 parts – Part 12", dated 1840 – 1844
- Estate Map, SHR 380/15, entitled "PLAN OF PART OF THE BRIDGEWATER ESTATES IN THE TOWNSHIPS OF MIDDLE AND NEWTON 1849", dated 1849
- Railway Plan, SHR DP/401, entitled "PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAYS. SESSION 1861-2.", dated 1861-2
- Railway Section, SHR DP/401, entitled "PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAY. SESSION 1861-2", dated 1861-2
- Railway Book of Reference, SHR DP/401, entitled "Ellesmere, Oswestry, Ruabon and Shrewsbury Railways Book of Reference", dated 1861-2
- Ordnance Survey 25" 1st Edition, BL None, entitled "Shropshire (Northern Division) Sheet XXI.5 - Loppington, Petton & Middle Parishes", dated 1880
- Ordnance Survey 25" 1st Edition, BED Vol (689 (29), entitled "Shropshire (Northern Division) Sheet XXI.6", dated 1880
- Ordnance Survey 25" 2nd Edition, BL 1601 (6), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 6." dated 1900

- Finance Act Survey Map, TNA IR 132/4/211, entitled "Shropshire Sheet XXI.5 - Second Edition 1902", dated 1909/1910
- Finance Act Survey Map, TNA IR 132/4/212, entitled "Shropshire Sheet XXI.6 - Second Edition 1902", dated 1909/1910

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

Signed:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

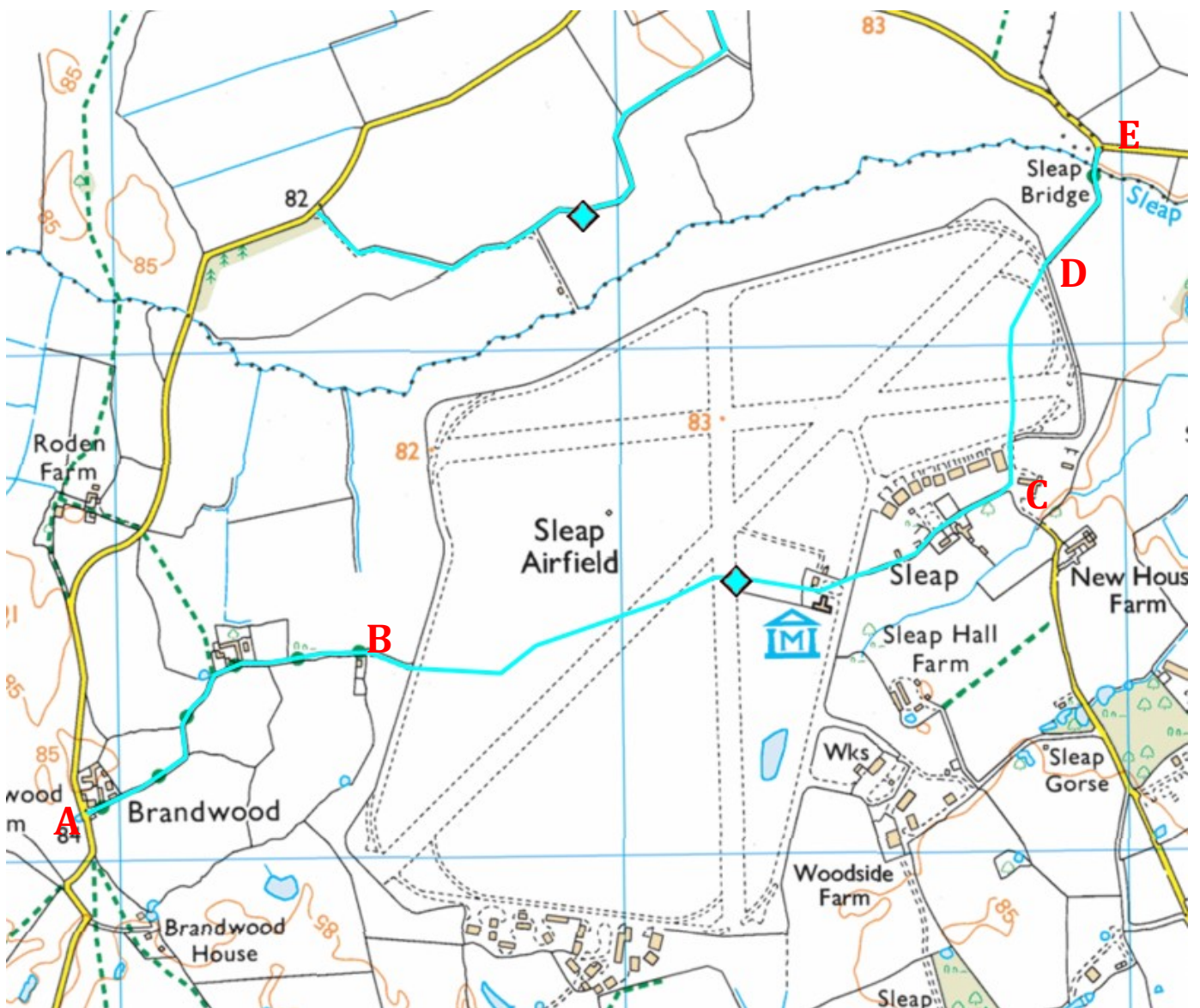
Date: 03/09/2020

Wildlife and Countryside Act 1981

Map to Accompany Definitive Map Modification Order Application

For a route at Sleep Airfield in the Parish of Myddle and Broughton, Shropshire to be shown as a Public Bridleway

Applicant's Reference: DLW SH/130/001



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/130/001
Name	Un-named
Historic County	Shropshire
Sub-Unit	Shropshire Sub-unit 1
Parish(es)	Myddle and Broughton
Surveying Authority	Shropshire County Council
Definitive Map Ref. No.	None
Other Designation(s) Ref. No.	None
Route Length	2007 metres
OS 1:10,000 Sheet(s)	SJ42NE
Grid Ref (start)	SJ4693 2609
Grid Ref (end)	SJ4895 2728
ARU ASSESSMENT OUTCOME	
Status/Class	Public carriageway
Strength	Tentative
Comment	Part described as 'Public' in the Deposited Railway Records, and described as '2 nd Class Metal Road' in the OS 1" New Series.

Date:

02 May 2008

LandAspects
Rowan House
Lloyd Drive
Ellesmere Port
Cheshire CH65 9HQ

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1. Summary of Findings

Case file SH/130/001 was included in the research scope by the Shropshire County Council during the course of research due to the discovery of evidence suggesting the existence of a public right of way.

From the documents examined it is possible to establish that the case file route is shown over the two Finance Act Survey maps uncoloured and excluded from hereditaments. This suggests that this length of the route at least 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. A Deposited Railway Record (DP/401) demonstrates evidence for the route, with the Book of Reference describing the route as 'Public', in this case a "public highway" with the owner of the route listed as a public body. Furthermore, on the section the route is described as a Public Road to be raised 16 feet and carried over Railway". The route is shown across two Tithe Survey maps as a physical feature. The route is also shown on the supporting Ordnance Survey records, but these provide no evidence of status. The two Non-Ordnance Survey Commercial maps demonstrate evidence for the entire route. On Baugh's map the route is described under the heading "By-roads" in the map key. On Greenwood's map the route is described under the heading "Cross Roads" in the map key. For the purposes of Discovering Lost Ways research, the identification of a route as a cross road is taken as evidence of reputation of the route as a highway, but is not taken in itself to provide evidence of the class of these rights above that of a bridleway.

The Ordnance Survey 1" New Series map describes the route under the heading "2nd Class Metalled Road" in the map key. For the purpose of the Discovering Lost Ways Project research it has been agreed that the showing of routes as 1st, 2nd or 3rd class metalled roads on OS 1" New Series maps will be taken as evidence of the existence of public vehicular rights. It is considered therefore that a public vehicular right of way existed over the route at the time of the survey.

The route runs over a Test Track and Airfield which all evidence suggests are still in use. This suggests that there was a permanent stopping-up (of length B – D) after the land was used in the Second World War as an airfield. However, there is no evidence to suggest that the route has been stopped-up or diverted within any of the documents examined. It is recommended that further research into the Ministry of Defence or local authority records would be needed before any application to add

length B – D to the definitive map. These documents are currently beyond the scope of the Archive Research Unit.

The evidence found for lengths A – B & D - E meet 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 these lengths have therefore been categorised as “Strong”, supporting the making of a definitive map modification order application to add lengths A – B & D - E to the Definitive Map.

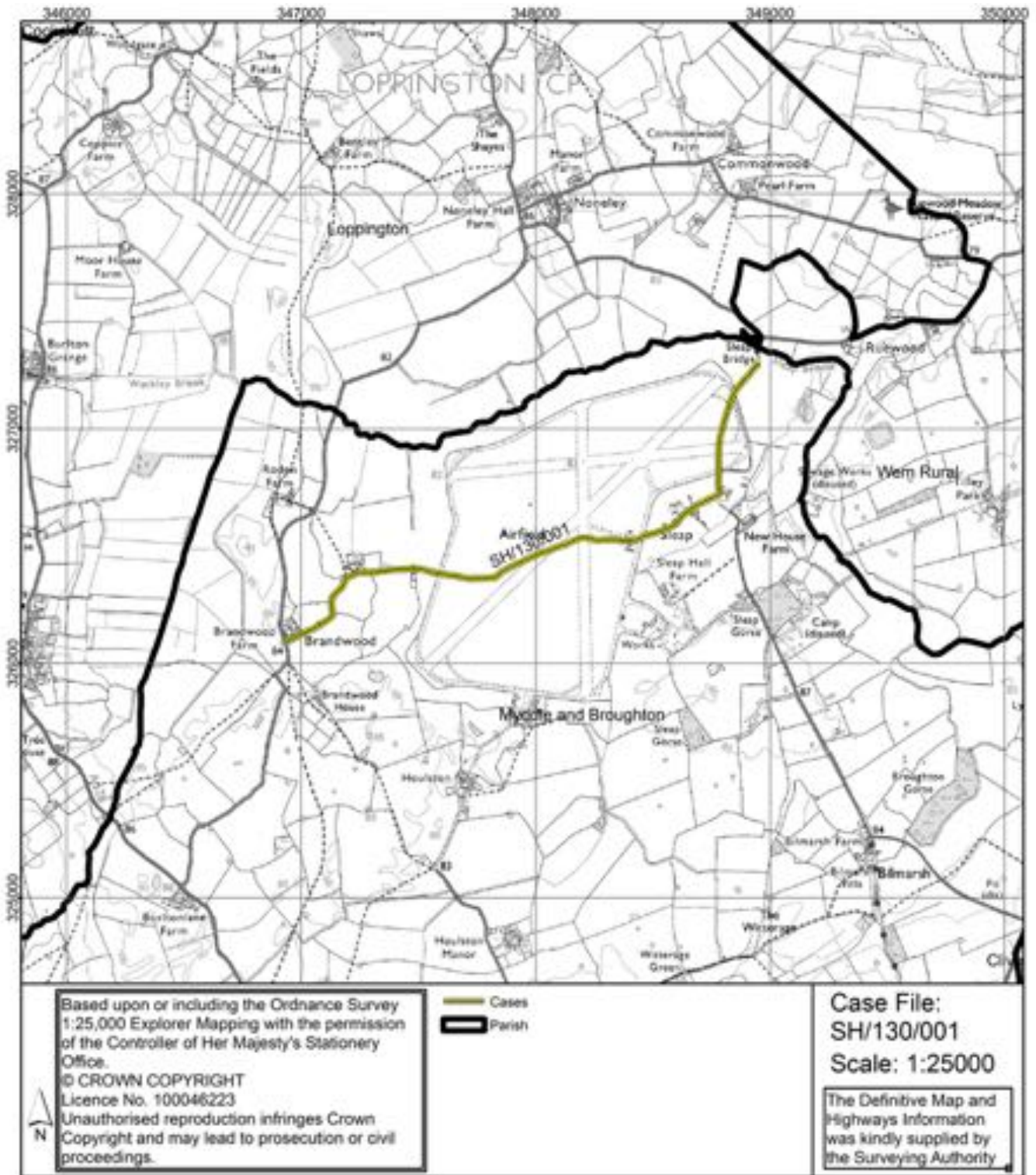
2. Description of Route

The route begins at the junction with U1610/20 (the reference given on Shropshire County Council's List of Streets) at coordinate SJ4693 2609 (point A on the Case File Route Map). The route continues in a north easterly direction along the alignment of U1622/10 (the reference given on Shropshire County Council's List of Streets) to coordinate SJ4752 2640 (point B on the Case File Route Map). The route continues in a north easterly to the junction with Sleaf Road (which has been given the reference U1615/10 on Shropshire County Council's List of Streets) (point C on the Case File Route Map). The route continues in a northerly direction to the edge of the airfield at coordinate SJ4884 2716 (point D on the Case File Route Map). The route then continues along the same trajectory to the junction with U1949/10 (the reference given on Shropshire County Council's List of Streets) at coordinate SJ4895 2728, where this route terminates (point E on the Case File Route Map).

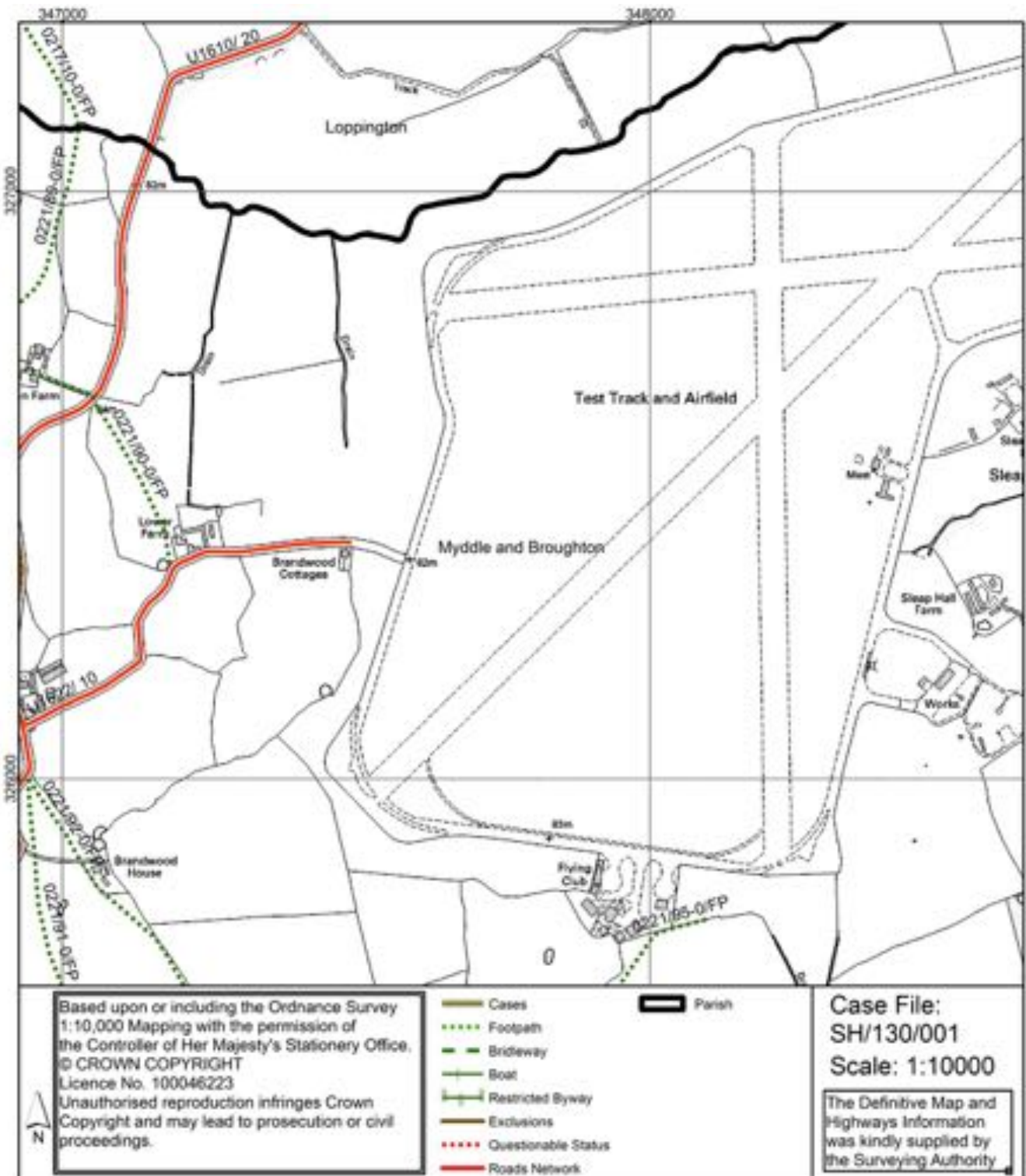
The route has a length of 2007 metres.

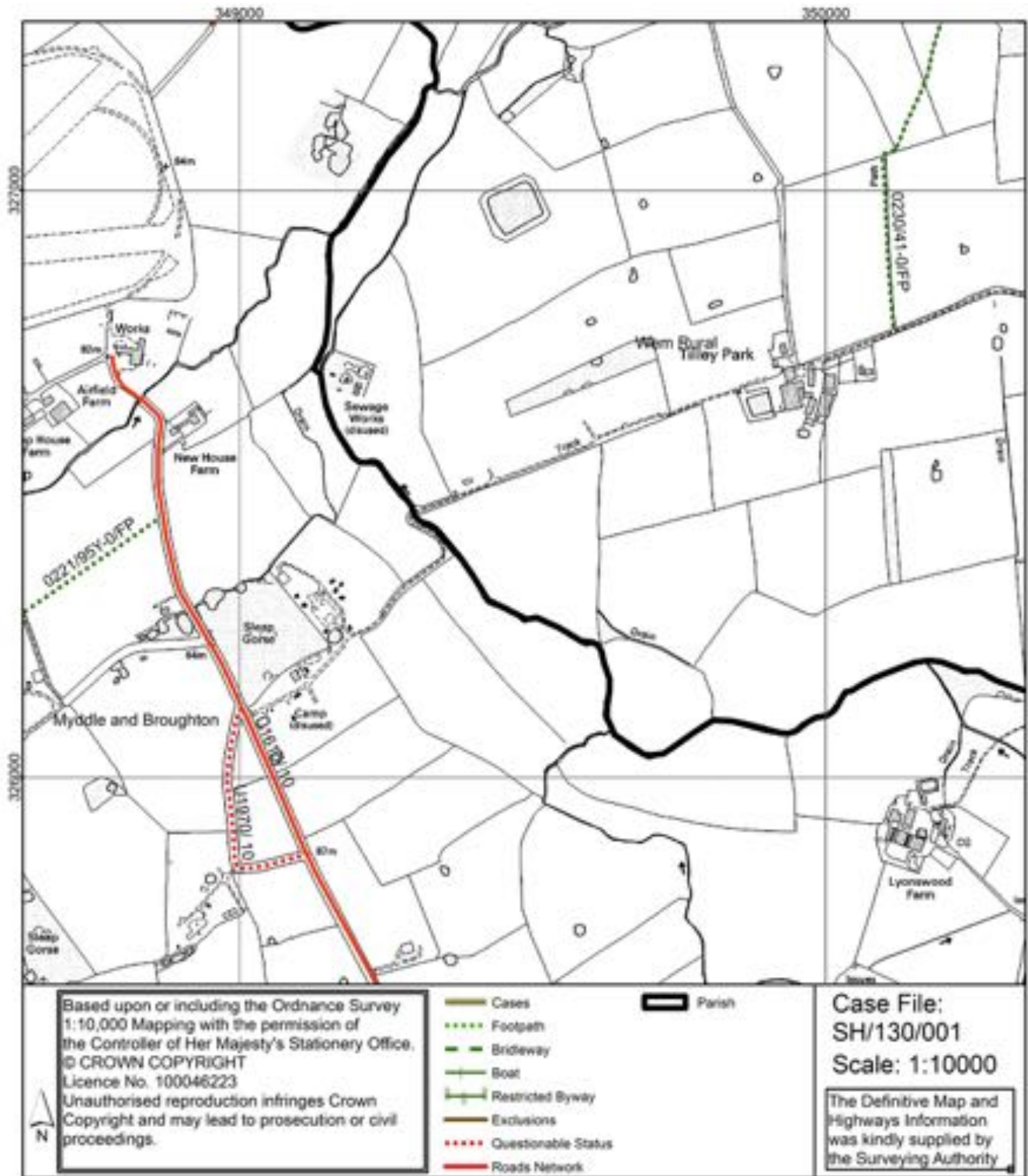
During the research process, the whole of the case file route SH/130/001 was identified with the research case references T000672 (A – B) and T001004 (B – E). All three references are used in section 6 of this report. Where documents are considered to contain relevant evidence the case route numbers are used (in bold). Where there is no evidence the case file reference number is used (plain text).

3. Location Plan

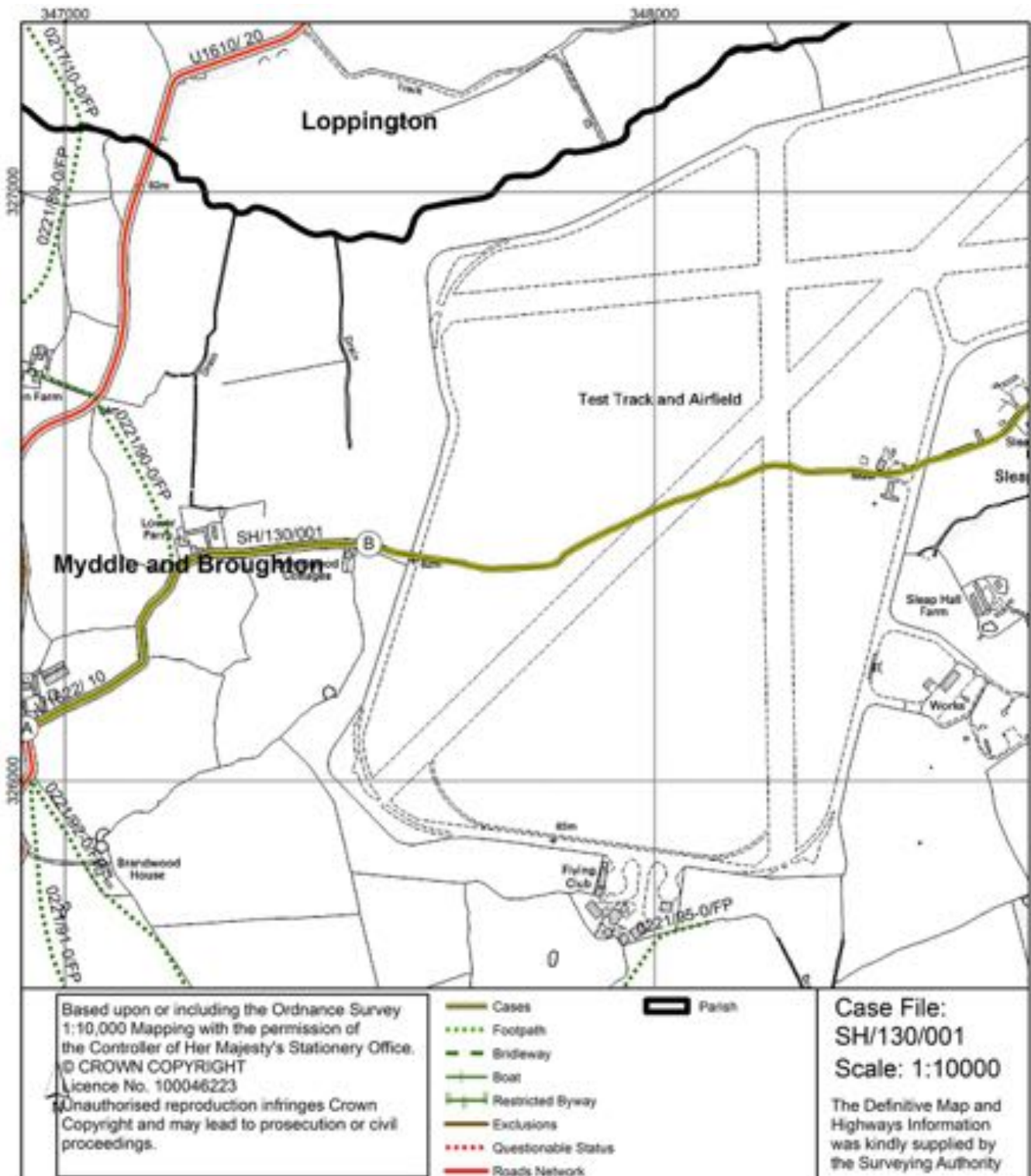


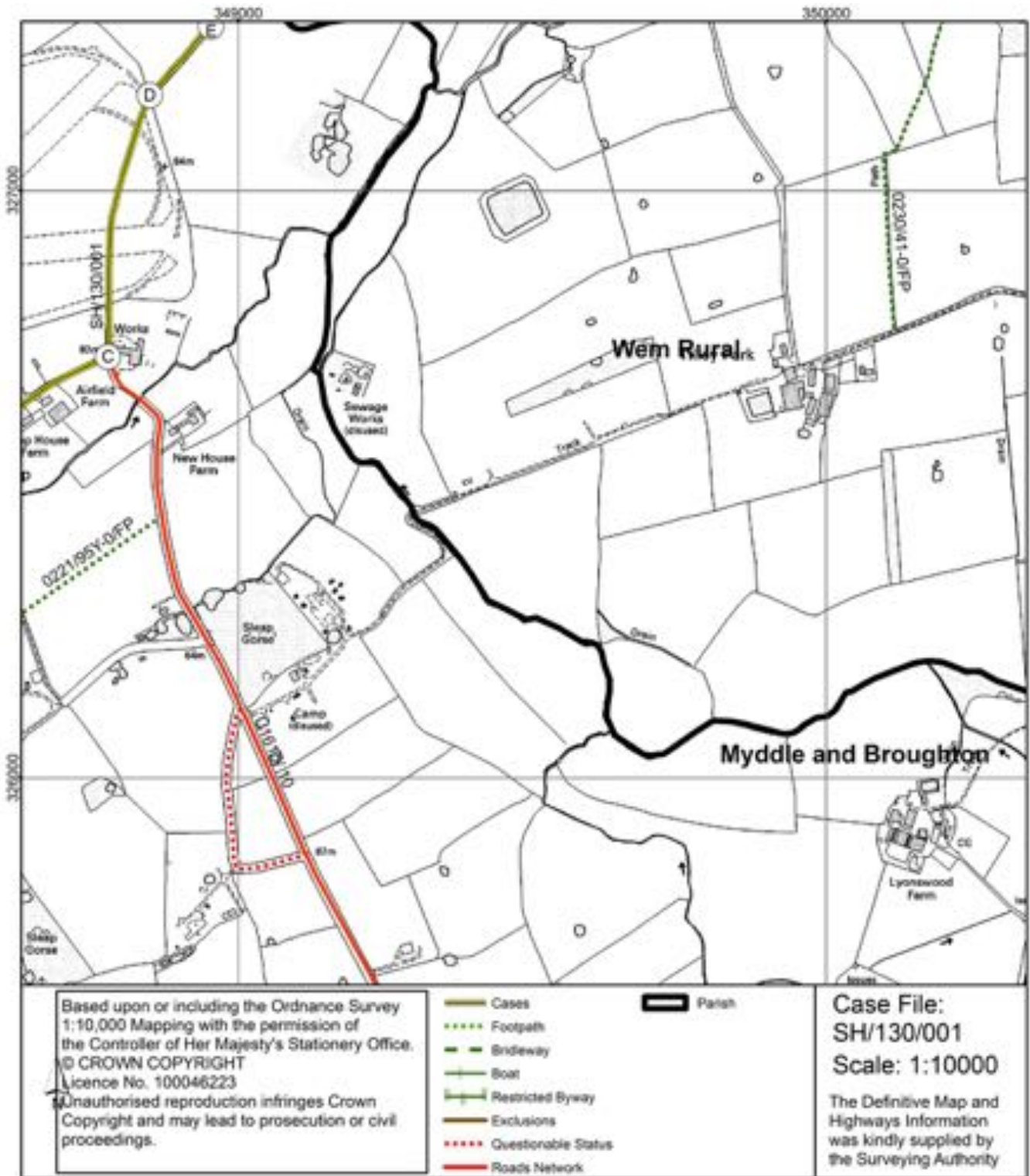
4. Current Definitive Paths





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/130/001 are shown in **bold**. This information is arranged in a standard format as follows:

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

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

The Ordnance Survey 25" 1st and 2nd Edition image tiles (© And database right "Crown copyright and Landmark Information Group Ltd" all rights reserved 2007) included within each case file may not, on occasions, exactly reflect the original versions that have been used for research purposes. The original maps held at the British Library may not always be identical in extent and content to the image tiles

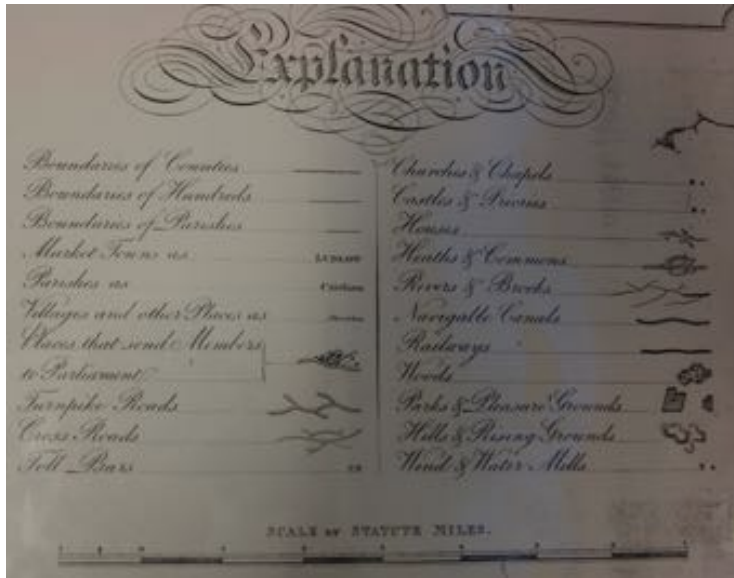
provided by Landmark. The image tiles can therefore only be used as a guide as to what the original document held at the British Library depicted. If the reader of the case files wishes to qualify any statements that have been in the file then they should consult versions held at the British Library.

1. Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWIS Lord Lieutenant and Custos Rotulorum of the Counties of SALOP AND MONTGOMERY This MAP of SHROPSHIRE is humbly and respectfully dedicated by his LORDSHIPS obliged and obedient Servant ROBERT BAUGH", dated 1808, demonstrates evidence for all of route T000672 and T001004. The route is observed to commence south of the letter "u" of the label "Burlton" on the map. The route is described in a manner which fails to confer any indication of status, as "By-roads" in the map key. The route is depicted as consisting of two parallel solid black lines. The route observed to terminate at a junction with another route to the west of the letter "R" of the label "Renwood" on the map.



2. 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 T000672 and T001004. The route is observed to commence to the south of the letter "y" of the label "Halfway House" on the map. The whole of the route is shown on map and described under the heading "Cross Roads" in the map key. The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a junction with another route to the north east of the letter "p" of the label "Sleap" on the map.





3. Ordnance Survey Surveyors Drawings, SHR 320 (E), entitled "PART of SHROPSHIRE", dated 1827, demonstrates evidence for all of route T000672 and T001004. The route is observed to commence at a point north "Middle". The route is observed to extend to a point north east of the commencement point. The route is shown uncoloured on the Ordnance Surveyor's Drawings and is depicted as consisting of two parallel solid black lines. The route is shown un-named on the Ordnance Surveyor's Drawing. The route is observed to terminate at a position north east of the commencement point where it joins another route.

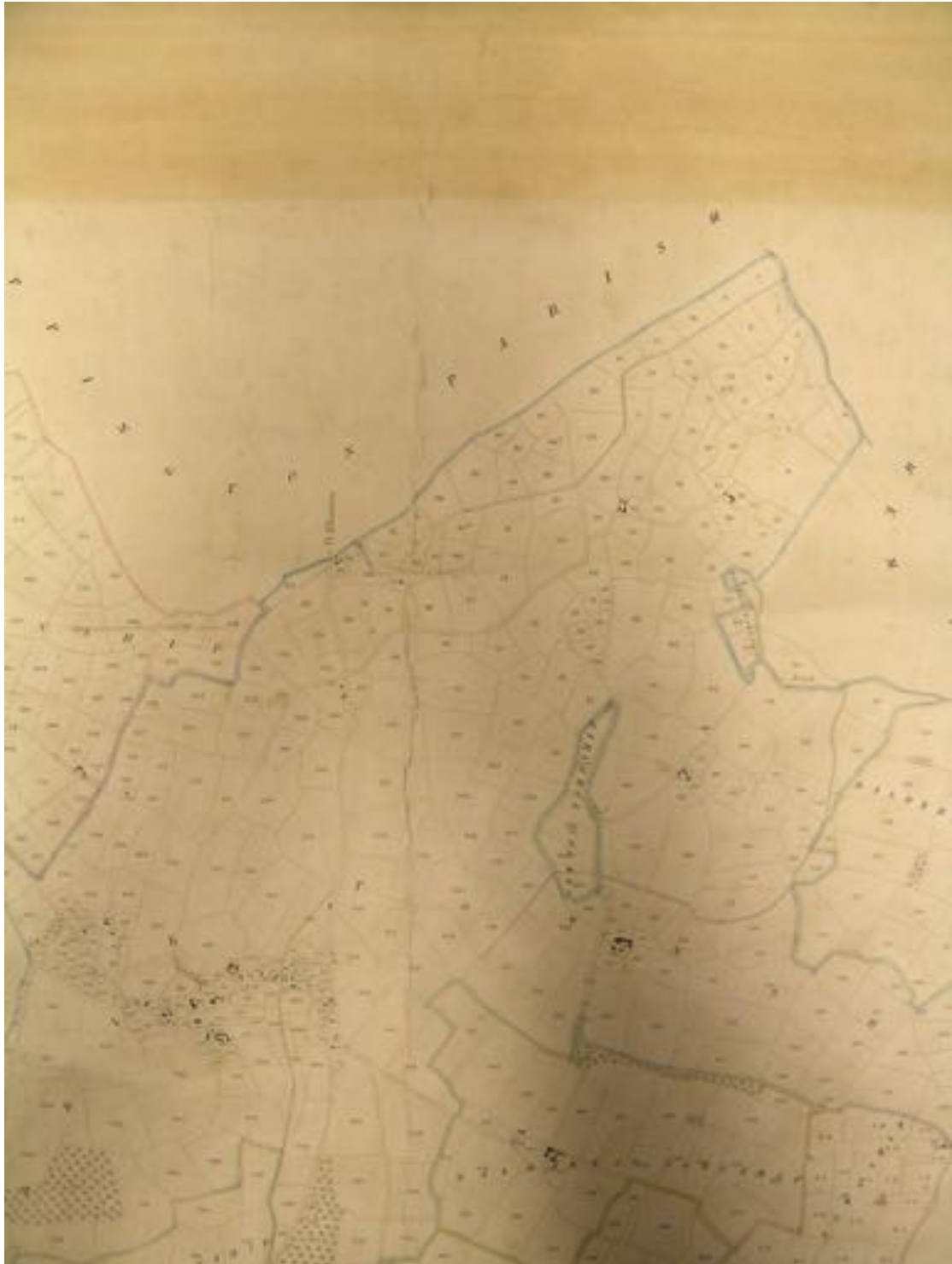


4. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1mile, entitled "Folder 1 1833 - 1835", dated 1833 - 1835, demonstrates evidence for all of route T000672 and T001004. The route is observed to commence at a junction with another route to the south west of the letter "B" in "Brandwood" 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 a junction with another route to the north east of the letter "p" of the label "Sleap" on the map.



5. Tithe Apportionment, TNA IR 29/29/216, entitled "Apportionment of the Rent Charg[.] in Lieu of Tithes for the Parish of Middle in the County of Salop", dated 1838, covers the area but demonstrates no evidence for case SH/130/001.

6. Tithe Map, TNA IR 30/29/216, entitled "Plan of the PARISH of MIDDLE, IN THE COUNTY of SALOP.", dated 1839, demonstrates evidence for all of route T000672 (A-B). The route is observed to commence at the north west corner of parcel "43" on the map. The route is shown but is un-numbered and not within a numbered parcel and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the north east corner of parcel "37" on the map.



7. Tithe Map, TNA IR 30/29/334, entitled “MAP OF THE TOWNSHIP OF SLEAF IN THE PARISH OF WEM IN THE COUNTY OF SALOP– Map in 12 parts – Part 12”, dated 1840 – 1844, demonstrates evidence for all of route T001004. The route is observed to commence to the north west corner of parcel “1174” 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 annotated as a through-route, in this case as “To Middle” on the map. The route is observed to terminate at the north west corner of parcel “1150” on the map.



8. Railway Section, SHR DP/316, entitled "Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester &c." dated 1844, covers the area but demonstrates no evidence for case SH/130/001 (T000672).

9. Railway Plan, SHR DP/316, entitled "Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester &c." dated 1844, demonstrates evidence for part of route T001004. The route is observed to commence at the south west corner of parcel "6" on the plan. The route is shown specifically numbered on the plan in this case "7" and is depicted as consisting of two parallel solid black lines. The route is shown within the Limits of Deviation. The route is observed to terminate at the north east corner of parcel "13" on the map.

N.B. there was no book of reference available for DP/316.

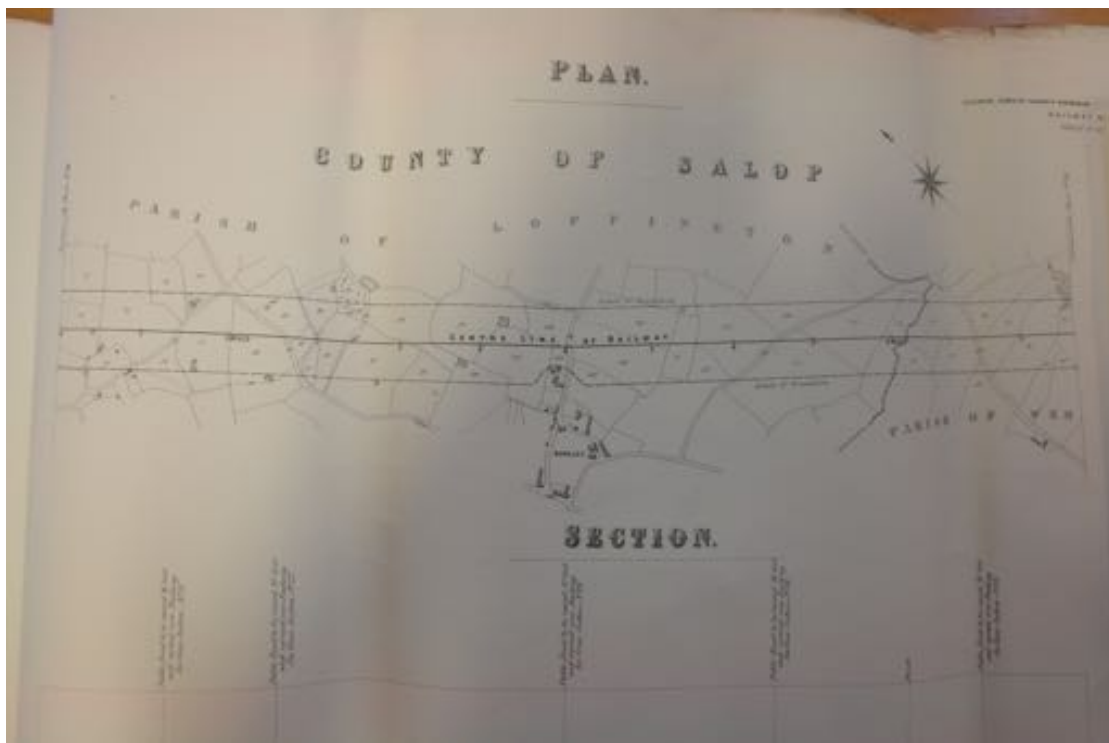
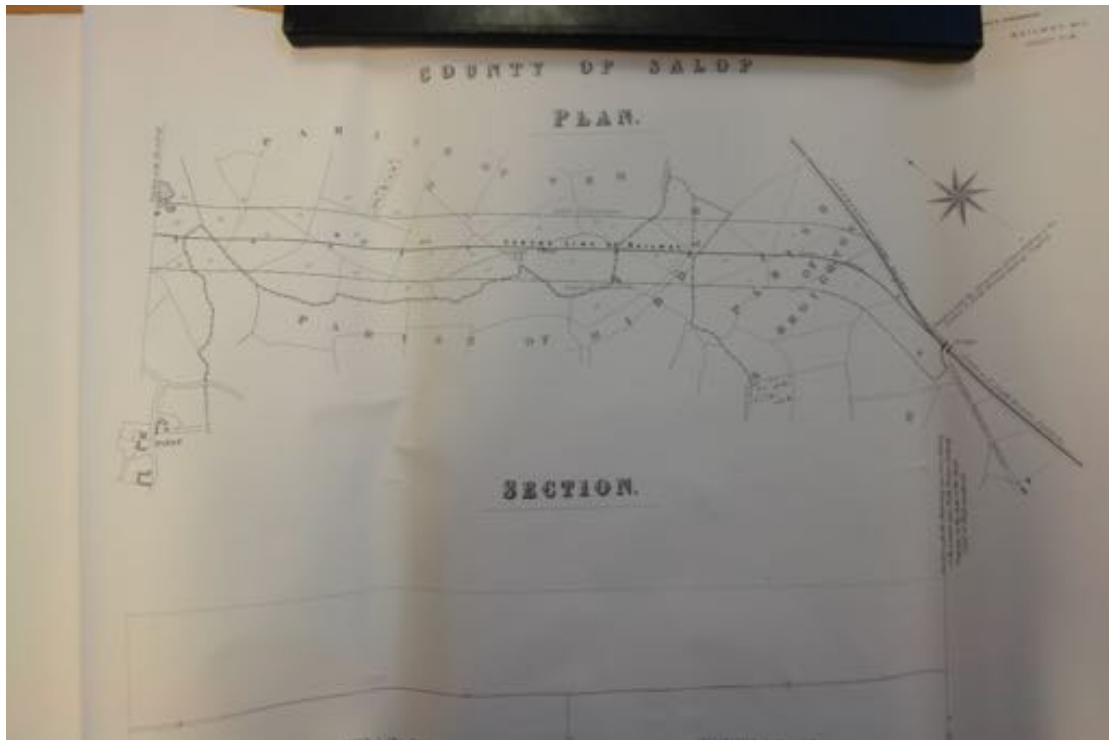
10. Railway Section, SHR DP/316, entitled "Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester &c." dated 1844, covers the area but demonstrates no evidence for case SH/130/001 (T001004).

11. Estate Map, SHR 380/15, entitled "PLAN OF PART OF THE BRIDGEWATER ESTATES IN THE TOWNSHIPS OF MIDDLE AND NEWTON 1849", dated 1849, demonstrates evidence for all of route T000672 and part of T001004 (C – D). The length A – B is observed to commence south of the "H" of "R.C. VAUGHAN ESQ" on the map. The route is shown but is un-numbered and not within a numbered parcel and is depicted as consisting of two parallel solid black lines. The route is observed to terminate to the west of the "H" of "PARISH" on the map. The length C – D is observed to commence to the east of "No.12" on the map. The route is shown but is un-numbered and not within a numbered parcel and is depicted as consisting of two parallel solid black lines. The route is observed to terminate to the south east of "MR PAXTON" on the map.

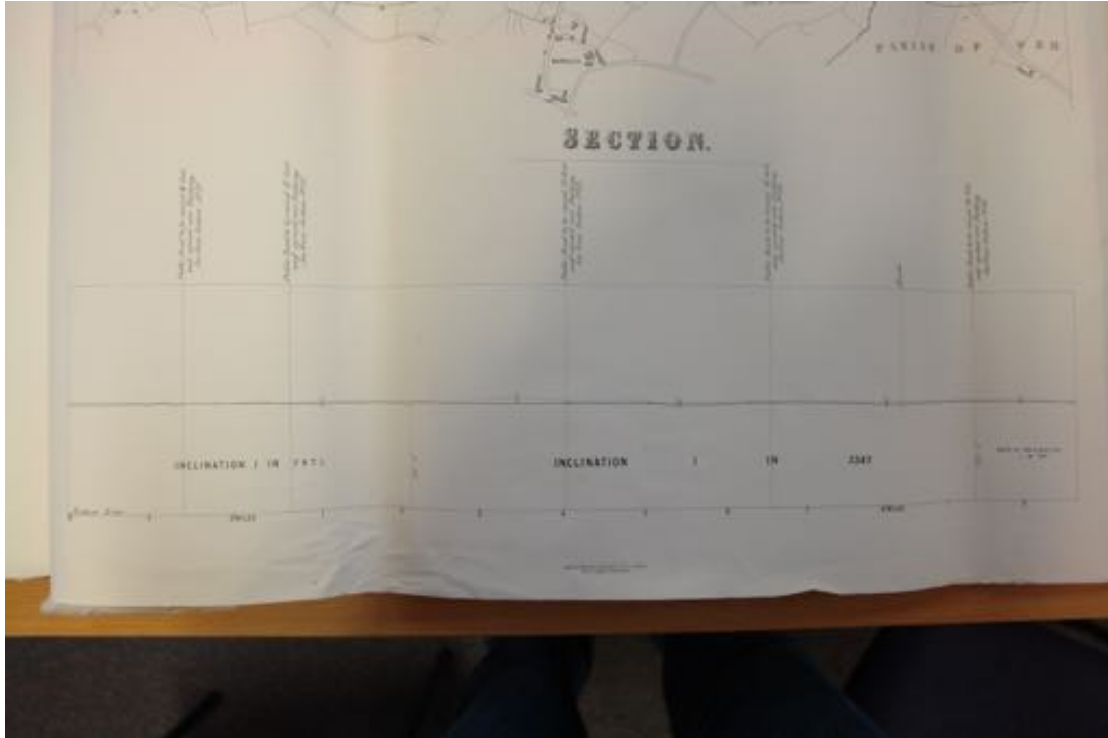


12. Railway Plan, SHR DP/401, entitled "PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAYS. SESSION 1861-2.",

dated 1861-2, demonstrates evidence for part of route T001004. The route is observed to commence to the west of "Sleep" on the plan (shown on sheet 16). The route shows the route specifically numbered on the plan in this case "28a" and is depicted as consisting of two parallel solid black lines. The route is shown route within the Limits of Deviation. The route is observed to terminate at the north east corner of parcel "28" on the plan (shown on sheet 15).



13. Railway Section, SHR DP/401, entitled "PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAY. SESSION 1861-2", dated 1861-2, demonstrates evidence for part of route T001004. The route is shown with the status quoted as 'public' in this case a "Public Road to be raised 16 feet and carried over Railway".



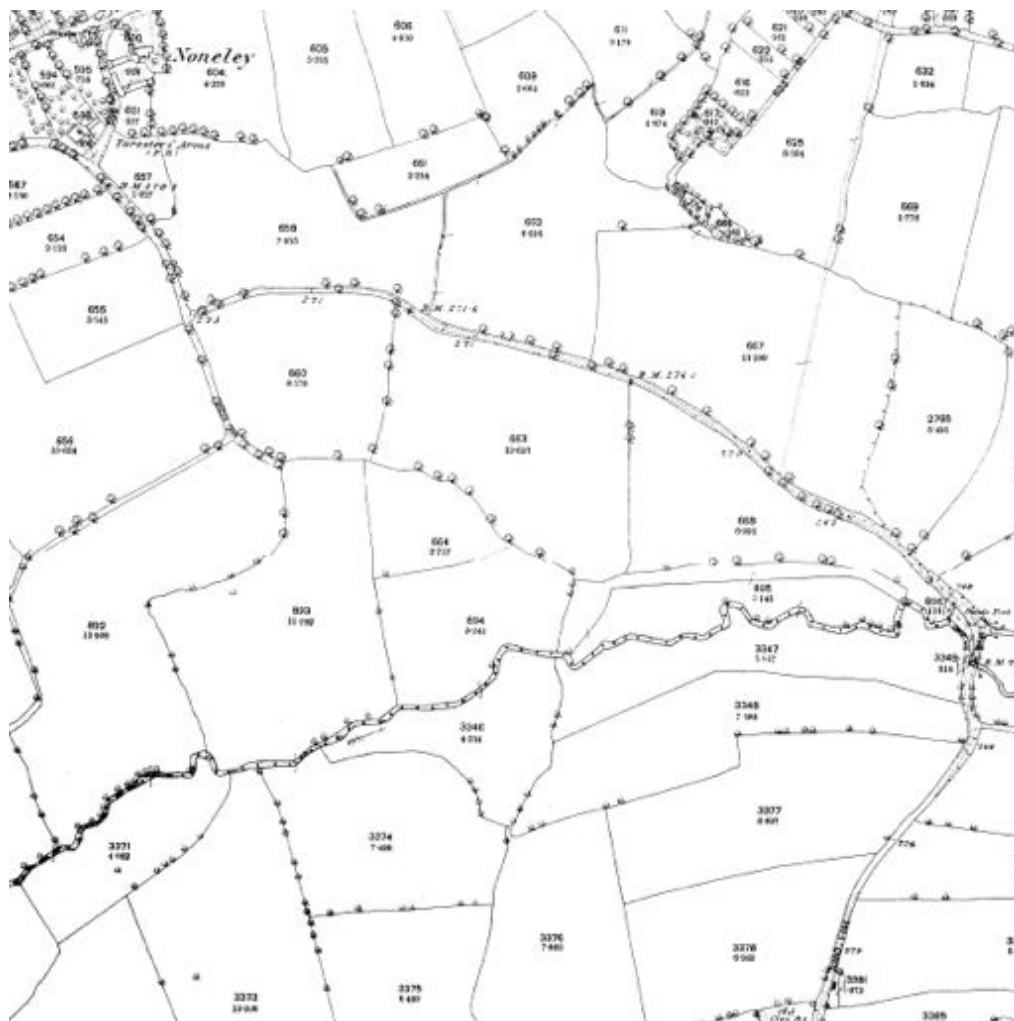
14. Railway Book of Reference, SHR DP/401, entitled "Ellesmere, Oswestry, Ruabon and Shrewsbury Railways Book of Reference", dated 1861-2, demonstrates evidence for part of route T001004. The route is described as 'public' in this case a "Public Highway". The route is listed with the owner of the route being listed as a public body or officer, "The Surveyor of the Highways of the Township of Salop Thomas Kent Surveyor", with the implied responsibility for maintenance of public highways.

PARISH OF <i>Worcester</i>		COUNTY OF <i>Salop</i>		
SECTION	DESCRIPTION OF PROPERTY.	OWNERS OR SUPPOSED OWNERS.	LESSEES OR SUPPOSED LESSEES.	REMARKS.
1	<i>Field, part and complete road</i>	<i>Richard Rogers</i>		<i>John Stacey</i>
2	<i>Field and part</i>	<i>Richard Rogers</i>		<i>John Stacey</i>
3	<i>Field</i>	<i>Richard Rogers</i>		<i>John Stacey</i>
4	<i>Field</i>	<i>Thomas Stacey</i>		<i>James Stacey</i>
5	<i>Field</i>	<i>Henry Stacey</i>		
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67	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
68	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
69	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
70	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
71	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
72	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
73	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
74	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
75	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
76	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
77	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
78	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
79	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
80	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
81	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
82	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
83	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
84	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
85	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
86	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
87	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
88	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
89	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
90	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
91	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
92	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
93	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
94	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
95	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
96	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
97	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
98	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
99	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>
100	<i>Field</i>	<i>John Stacey</i>		<i>James Stacey</i>

15. Ordnance Survey 25" 1st Edition, BL None, entitled "Shropshire (Northern Division) Sheet XXI.5 - Loppington, Petton & Middle Parishes", dated 1880, demonstrates evidence for part of route T000672. The route is observed to commence at the north west corner of parcel "43" on the map (shown on 30SJ4626 & 30SJ4726). The route is shown on the map and is depicted as consisting of two parallel solid black lines with two dashed black lines along the centre. The route is observed to terminate at the north west corner of parcel "61" on the map where it continues onto map sheet XXI.6 (shown on 30SJ4726).



16. Ordnance Survey 25" 1st Edition, BED Vol (689 (29), entitled "Shropshire (Northern Division) Sheet XXI.6", dated 1880, demonstrates evidence for part of route T000672. The route is observed to commence at the north west corner of parcel "61" on the map where it continues on from map sheet XXI.5 (shown on 30SJ4726). The route is shown on the map and is depicted as consisting of two parallel solid black lines with two dashed black lines along the centre. The route is shown specifically numbered on the map as "3413" & "3380". The route is observed to change physical characteristics towards the north east corner of parcel number "3378". From here the route is depicted as consisting of two parallel solid black lines. The route is observed to change physical characteristics midway along the eastern boundary of parcel number "3337". From here the route is depicted as consisting of two parallel solid black lines with two parallel black dashed lines through the middle. The route is observed to terminate at the north east corner of parcel "3337" on the map (shown on 30SJ4827).

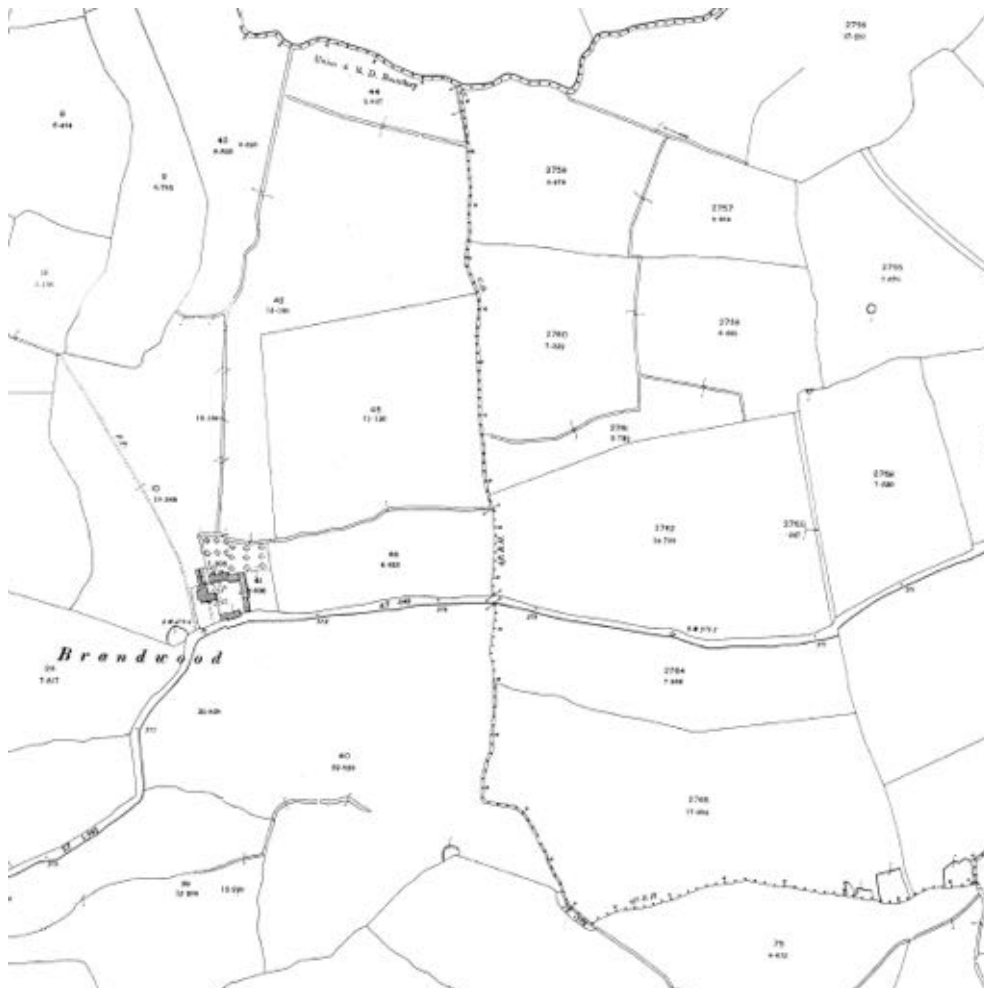




17. Ordnance Survey 25" 1st Edition Book of Reference, BL None, entitled "Book of Reference to the Plan of the Parish Of Loppington, Shropshire, Northern Division", dated 1881, covers the area but demonstrates no evidence for case SH/130/001.

18. Ordnance Survey 25" 1st Edition Book of Reference, BL None, 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/130/001.

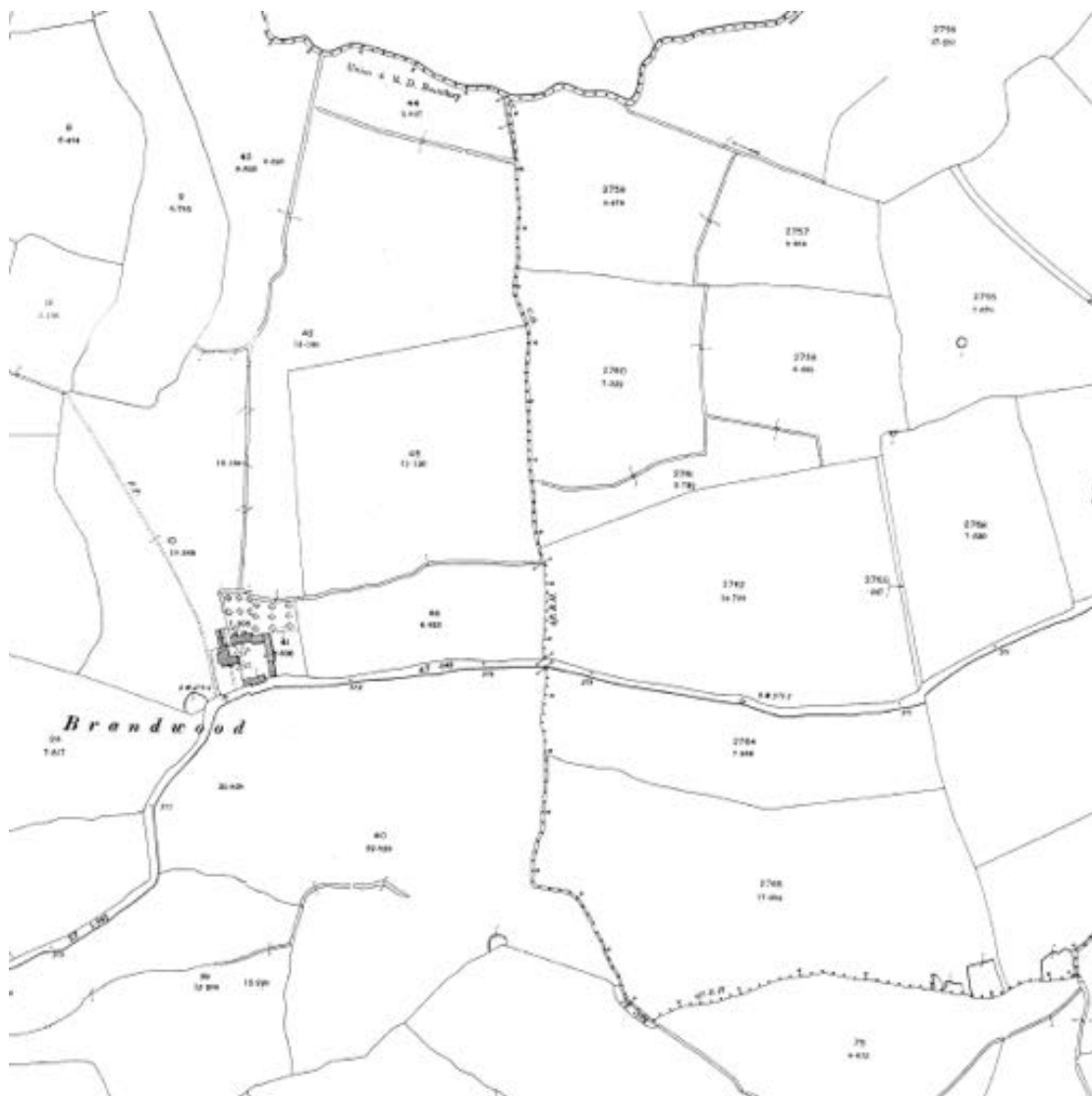
19. Ordnance Survey 25" 2nd Edition, BL 1601 (5), entitled "SECOND EDITION 1901 SHROPSHIRE SHEET XXI. 5", dated 1900, demonstrates evidence for part of route T000672. The route is observed to commence at the south west corner of parcel "26" on the map (shown on 30SJ4626). The route is shown on the map un-named and is depicted as consisting two parallel solid black lines (fine and bold) and is described under the heading "Main Roads" in the 25" Characteristics Sheet. The route is observed to terminate at the south west corner of parcel "41" on the map where it continues onto map sheet XXI.6 (shown on 30SJ4726).





20. Ordnance Survey 25" 2nd Edition, BL 1601 (6), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 6." dated 1900, demonstrates evidence for part of route T000672. The route is observed to commence at the north west corner of parcel "40" on the map where it continues on from map sheet XXI.5 (shown on 30SJ4726). The route is shown on the map un-named and is depicted as consisting of two parallel solid black lines (fine and bold) and is described under the heading "Main Roads" in the 25" Characteristics Sheet. The route is observed to terminate at the north east corner of parcel "2742" on the map (shown on 30SJ4827).

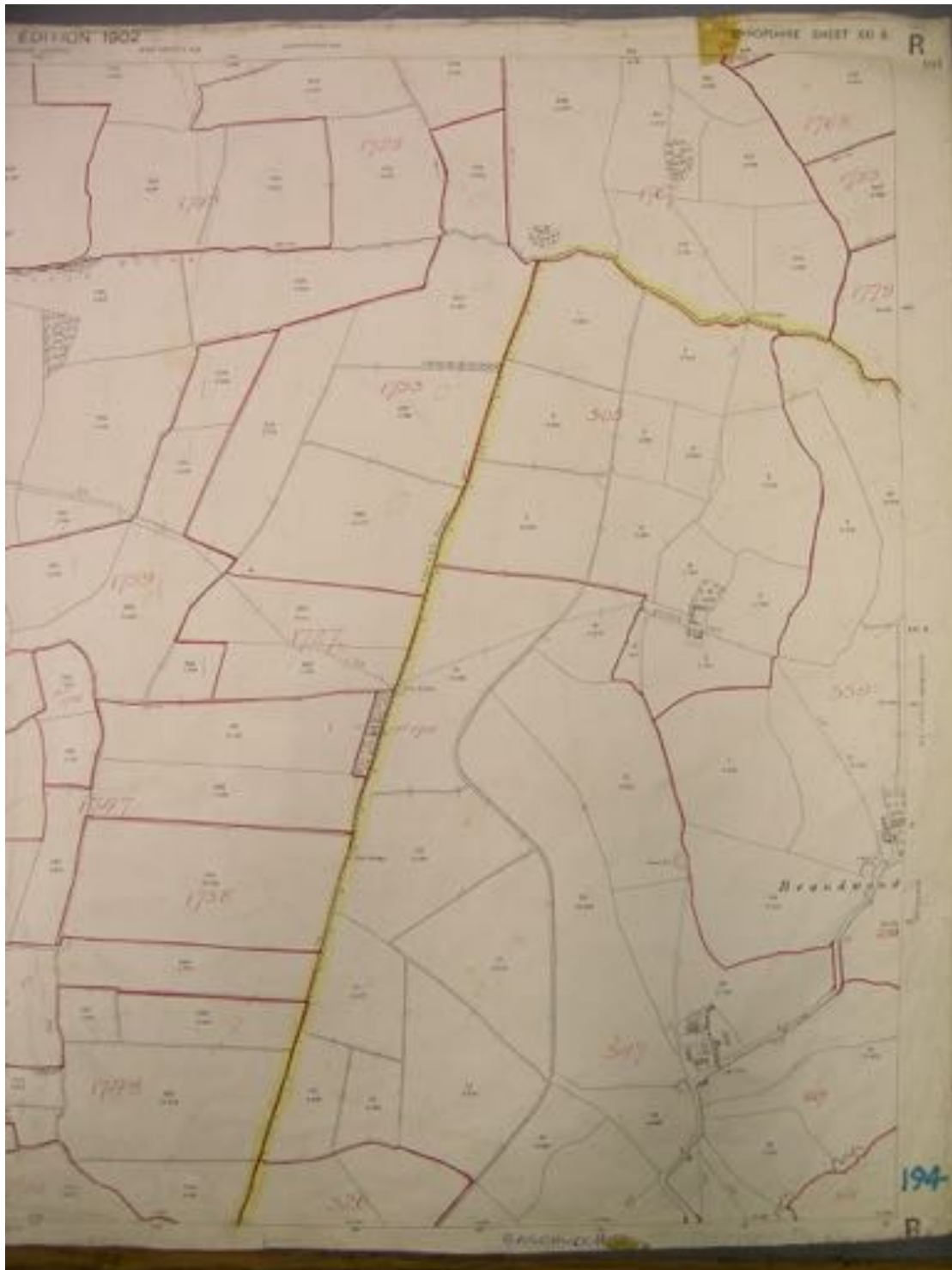




21. Ordnance Survey 1" New Series, BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM", dated 1902, demonstrates evidence for all of route T000672 and T001004. The route is observed to commence east of the "n" of "Burlton" on the map. The route is depicted by one bold and one fine solid / pecked parallel black lines and the route is described as 2nd Class metalled roads in the key: "Metalled Roads: "Second Class - Fenced. The route is observed to terminate north east of "Sleap" on the map.

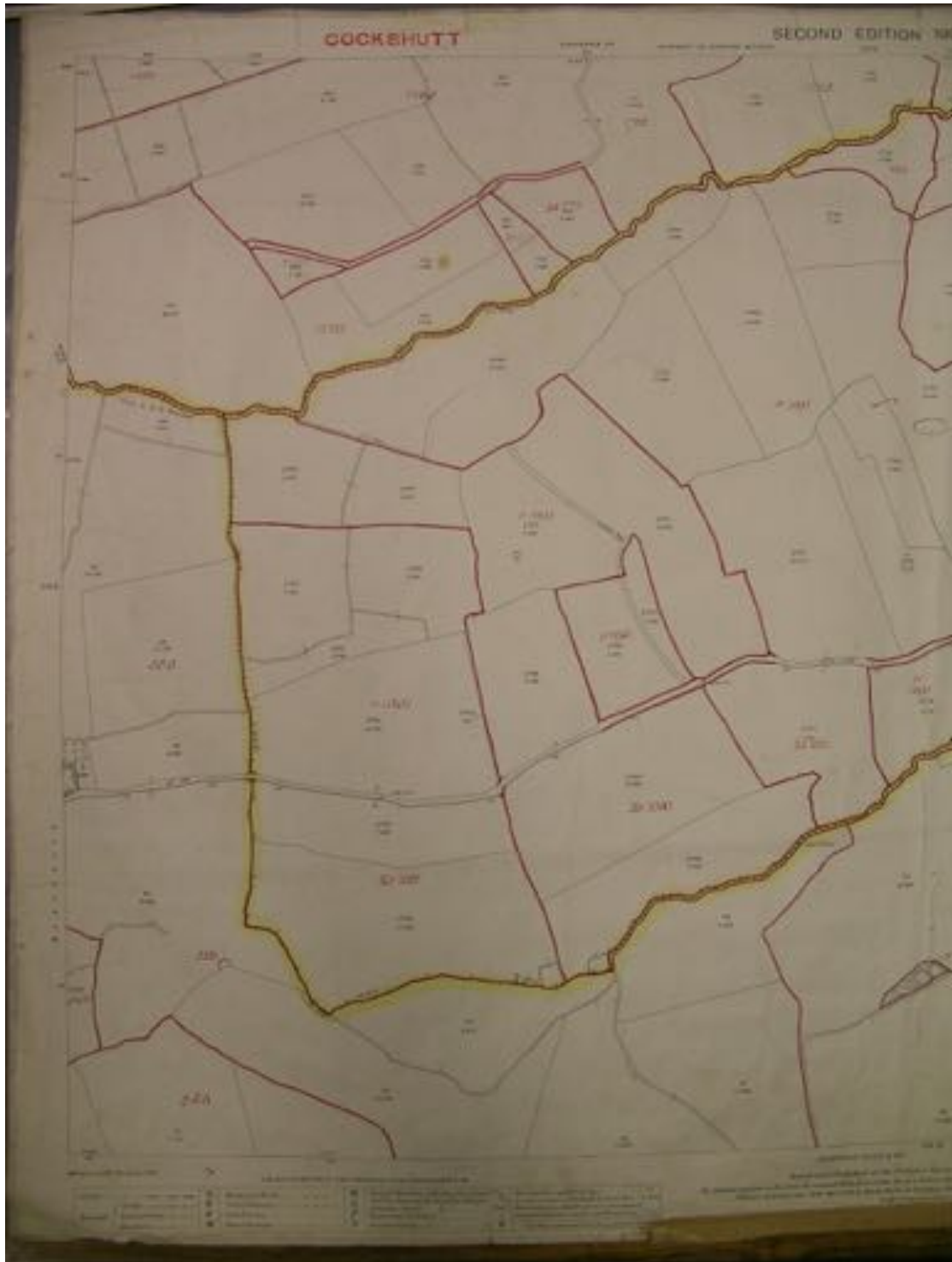
22. Finance Act Survey Map, TNA IR 132/4/211, entitled "Shropshire Sheet XXI.5 - Second Edition 1902", dated 1909/1910, demonstrates evidence for part of route T000672. The route is observed to commence at the south west corner of OS parcel "26" on the map. The route is shown uncoloured and excluded from

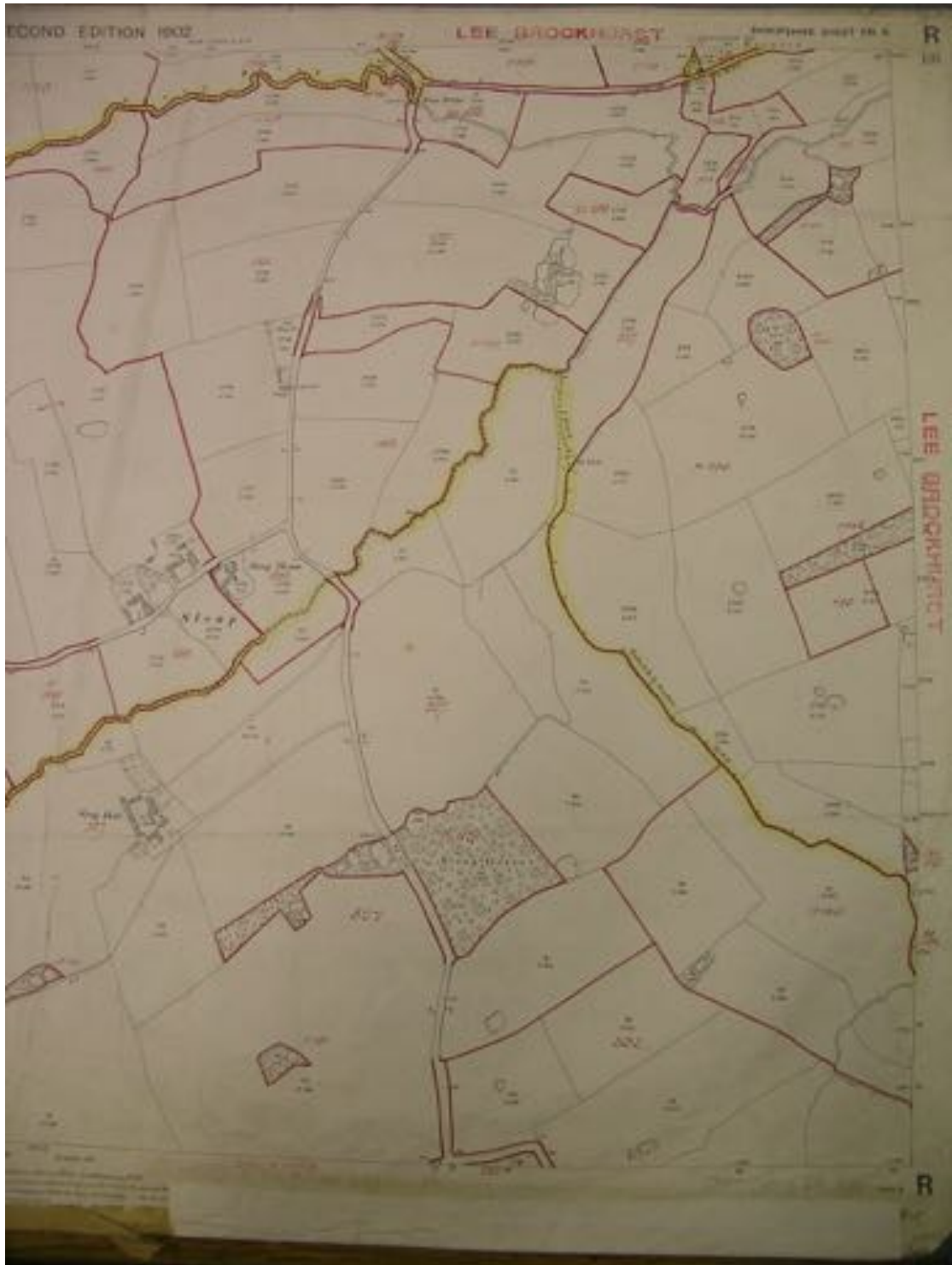
hereditaments. The route is observed to terminate at the north west corner of OS parcel "40" on the map where it continues onto map sheet XXI.6.



23. Finance Act Survey Map, TNA IR 132/4/212, entitled "Shropshire Sheet XXI.6 - Second Edition 1902", dated 1909/1910, demonstrates evidence for part of route T00672 and T001004. The route is observed to commence at the north west corner of OS parcel "40" on the map where it continues on from map

sheet XXI.5. The route is shown uncoloured and excluded from hereditaments. The route is observed to terminate at the north east corner of parcel "2742" 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-OS Commercial Mapping	C	SHR Map R BAUGH 1808 sheet 2 - To the Right Honourable EDWARD EARL OF POWIS Lord Lieutenant and Custos Rotulorum of the Counties of SALOP AND MONTGOMERY This MAP of SHROPSHIRE is humbly and respectfully dedicated by his LORDSHIPS obliged and obedient Servant ROBERT BAUGH	1808	6.1	NOS10	Route shown on map fits generic description of non-status specific routes as described in legend
Non-OS	B(ii)	SHR Map	1827	6.2	NOS16	Shown on

Commercial Mapping		GREENWOODS 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1816 & 1827 BY C. & J. GREENWOOD, Most Respectfully Dedicated To The NOBILITY, CLERGY & GENTRY OF Shropshire, By THE PROPRIETORS GREENWOOD, PRINGLE & Co. Regent Street. Pall Mall....				map and depicted or described as driving road or crossroads in key
Ordnance Survey Records Surveyors Drawings	C	SHR 320 (E) - PART of SHROPSHIRE	1827	6.3	OSD1	Route shown un-coloured on Ordnance Surveyors Drawing Route shown un-coloured on Ordnance Surveyors Drawing
					OSD4	Route un-named on Ordnance Surveyor's Drawing
Ordnance Survey Records 1" Old Series	C	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	C	SHR Map IR/30/29/216 - Plan of the PARISH of MIDDLE, IN THE COUNTY of SALOP.	1839	6.6	TM3	Route shown on map not numbered specifically or within numbered parcel
Tithe Survey Records	C	TNA IR 30/29/334MA P OF THE TOWNSHIP OF SLEAP IN THE PARISH OF WEM IN THE COUNTY OF SALOP- Map in 12 parts - Part 12	1840 - 1844	6.7	TM3	Route shown on map not numbered specifically or within numbered parcel

Deposited Railway Records	C	SHR Plan DP/316 - Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester & c.	1844	6.9	RP1	Route specifically numbered on plan
					RP3	Route within LOD
Estate Records	C	SHR Map 380/15 - PLAN OF PART OF THE BRIDGEWATER ESTATES IN THE TOWNSHIPS OF MIDDLE AND NEWTON 1849	1849	6.11	EM2	Shown on map un-numbered and not contained within numbered parcel
Deposited Railway Records	B(i)	SHR Plan DP/401 - PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAYS. SESSION 1861-2.	1861-2	6.12	RP1	Route specifically numbered on plan
					RP3	Route within LOD
	SHR Section DP/401 - PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAY. SESSION 1861-2	1861-2	6.13	RS1	Status quoted as public	
		SHR Book Of Reference DP/401 - Ellesmere, Oswestry, Ruabon and Shrewsbury Railways Book of Reference	1861-2	6.14	RB2	Described as public
RB5	Owner is a public body					
Ordnance Survey Records 25" 1st Edition	C	BL None - Shropshire (Northern Division) Sheet XXI.5 - Loppington, Petton & Middle Parishes	1880	6.15	OSM23	Route specifically numbered on plan
Ordnance Survey Records 25" 1st Edition	C	BED Vol (689 (29) - Shropshire (Northern Division) Sheet XXI.6	1880	6.16	OSM6	Route Shown on OS 1st Edition 25" Map
					OSM23	Route specifically numbered on plan

Ordnance Survey Records 25" 2nd Edition	C	BL 1601 (5) - SECOND EDITION 1901 SHROPSHIRE SHEET XXI. 5	1900	6.19	OSM12	Route Shown on OS 2nd Edition 25" Map
Ordnance Survey Records 25" 2nd Edition	C	BL 1601 (6) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 6.	1900	6.20	OSM12	Route Shown on OS 2nd Edition 25" Map
Ordnance Survey Records 1" New Series	B(ii)	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	6.21	OSM21	Route described as 2nd Class metalled road in key or Characteristics Sheet
					OSM20	Route unnamed on map
Finance Act Survey Records	B(i)	TNA Map IR 132/4/211 - Shropshire Sheet XXI.5 - Second Edition 1902	1909/1910	6.22	FA1	Route excluded from Hdtmt
Finance Act Survey Records	B(i)	TNA Map IR 132/4/212 - Shropshire Sheet XXI.6 - Second Edition 1902	1909/1910	6.23	FA1	Route excluded from Hdtmt

Evidence of class:

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

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

Document Group	Document	Date	Code	Code Description
Non-OS Commercial Mapping	SHR Map R BAUGH 1808 sheet 2 - To the Right Honourable EDWARD EARL OF POWIS Lord Lieutenant and	1808	RC12	Road

	<p>Custos Rotulorum of the Counties of SALOP AND MONTGOMERY</p> <p>This MAP of SHROPSHIRE is humbly and respectfully dedicated by his LORDSHIPS obliged and obedient Servant ROBERT BAUGH</p>			
Non-OS Commercial Mapping	<p>SHR Map GREENWOODS</p> <p>1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1816 & 1827 BY C. & J. GREENWOOD,</p> <p>Most Respectfully Dedicated To The NOBILITY, CLERGY & GENTRY OF Shropshire, By THE PROPRIETORS GREENWOOD, PRINGLE & Co. Regent Street. Pall Mall....</p>	1827	RC12	Road
Ordnance Survey Records Surveyors Drawings	SHR 320 (E) - PART of SHROPSHIRE	1827	RC14	Unspecified
Tithe Survey Records	SHR Map IR/30/29/216 - Plan of the PARISH of MIDDLE, IN THE COUNTY of SALOP.	1839	RC14	Unspecified
Tithe Survey Records	TNA IR 30/29/334MAP OF THE TOWNSHIP OF SLEAP IN THE PARISH OF WEM IN THE COUNTY OF SALOP- Map in 12 parts - Part 12	1840 - 1844	RC14	Unspecified
Estate Records	SHR Map 380/15 - PLAN OF PART OF THE BRIDGEWATER	1849	RC14	Unspecified

	ESTATES IN THE TOWNSHIPS OF MIDDLE AND NEWTON 1849			
Deposited Railway Records Deposited Railway Records	SHR Plan DP/401 - PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAYS. SESSION 1861-2.	1861-2	RC14	Unspecified
	SHR Section DP/401 - PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAY. SESSION 1861-2	1861-2	RC12	Road
	SHR Book Of Reference DP/401 - Ellesmere, Oswestry, Ruabon and Shrewsbury Railways Book of Reference	1861-2	RC16	Highway
Ordnance Survey Records 25" 1st Edition	BL None - Shropshire (Northern Division) Sheet XXI.5 - Loppington, Petton & Middle Parishes	1880	RC14	Unspecified
Ordnance Survey Records 25" 1st Edition	BED Vol (689 (29) - Shropshire (Northern Division) Sheet XXI.6	1880	RC14	Unspecified
Ordnance Survey Records 25" 2nd Edition	BL 1601 (5) - SECOND EDITION 1901 SHROPSHIRE SHEET XXI. 5	1900	RC12	Road
Ordnance Survey Records 25" 2nd Edition	BL 1601 (6) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 6.	1900	RC12	Road
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	RC12	Road
Finance Act Survey Records	TNA Map IR 132/4/211 -	1909/1910	RC14	Unspecified

	Shropshire Sheet XXI.5 - Second Edition 1902			
Finance Act Survey Records	TNA Map IR 132/4/212 - Shropshire Sheet XXI.6 - Second Edition 1902	1909/1910	RC14	Unspecified

Evidence of physical characteristics:

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

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

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

Document Group	Document	Date	Code	Code Description
Non-OS Commercial Mapping	SHR Map R BAUGH 1808 sheet 2 - To the Right Honourable EDWARD EARL OF POWIS Lord Lieutenant and Custos Rotulorum of the Counties of SALOP AND MONTGOMERY This MAP of SHROPSHIRE is humbly and respectfully dedicated by his LORDSHIPS obliged and obedient Servant ROBERT BAUGH	1808	PA1	Two parallel solid black lines
Non-OS Commercial Mapping	SHR Map GREENWOODS 1827 - Map of the County of SALOP FROM AN ACTUAL	1827	PA1	Two parallel solid black lines

	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....			
Ordnance Survey Records Surveyors Drawings	SHR 320 (E) - PART of SHROPSHIRE	1827	PA1	Two parallel solid black lines
Tithe Survey Records	SHR Map IR/30/29/216 - Plan of the PARISH of MIDDLE, IN THE COUNTY of SALOP.	1839	PA1	Two parallel solid black lines
Tithe Survey Records	TNA IR 30/29/334 MAP OF THE TOWNSHIP OF SLEAP IN THE PARISH OF WEM IN THE COUNTY OF SALOP- Map in 12 parts - Part 12	1840 - 1844	PA1	Two parallel solid black lines
Estate Records	SHR Map 380/15 - PLAN OF PART OF THE BRIDGEWATER ESTATES IN THE TOWNSHIPS OF MIDDLE AND NEWTON 1849	1849	PA1	Two parallel solid black lines
Deposited Railway Records	SHR Plan DP/401 - PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAYS. SESSION 1861-2.	1861-2	PA1	Two parallel solid black lines
Ordnance Survey Records 25" 1st Edition	BL None - Shropshire (Northern Division)	1880	PA14	Two parallel solid black lines with two dashed black lines

	Sheet XXI.5 - Loppington, Petton & Middle Parishes			along the centre
Ordnance Survey Records 25" 1st Edition	BED Vol (689 (29) - Shropshire (Northern Division) Sheet XXI.6	1880	PA14	Two parallel solid black lines with two dashed black lines along the centre
Ordnance Survey Records 25" 2nd Edition	BL 1601 (5) - SECOND EDITION 1901 SHROPSHIRE SHEET XXI. 5	1900	PA14	Two parallel solid black lines with two dashed black lines along the centre
Ordnance Survey Records 25" 2nd Edition	BL 1601 (6) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 6.	1900	PA11	One bold and one fine solid parallel black lines
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	PA4	Two parallel dashed black lines (in-filled)
			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 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 length A – B of the route is shown on IR 30/29/216 while length B – D is shown on IR 30/29/334. The entire route is shown un-numbered and not within a numbered parcel therefore there is no evidence in the associated apportionments.

2. Finance Act Survey Records

The route is shown traversing two Finance Act Survey maps, each of which demonstrate evidence for the route. The route is shown uncoloured and excluded from hereditaments on both. 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. Deposited Railway Records

The Deposited Railway records demonstrate evidence for part of the route (length B – D). The route is shown specifically numbered on the plan and is shown within the limits of deviation. The accompanying section shows the route with the status quoted as 'Public' in this case "Public Road to be raised 16 feet and carried over railway". The book of reference describes the route as 'Public' in this case a "public highway" and the owner of the route is described as a public body with the implied responsibility for public maintenance.

4. Estate Records

Part of the route (length A – B and C – D) is shown on an Estate map as a physical feature only.

5. Non-Ordnance Survey Commercial Mapping

The two Non-Ordnance Survey Commercial maps demonstrate evidence for the entire route. On Baugh's map the route is described under the heading

"By-roads" in the map key. On Greenwood's map the route is described under the heading "Cross Roads" in the map key. For the purposes of Discovering Lost Ways research, the identification of a route as a cross road is taken as evidence of reputation of the route as a highway, but is not taken in itself to provide evidence of the class of these rights above that of a bridleway.

4. Ordnance Survey Documents

a) Ordnance Survey Surveyor's Drawings

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

b) Ordnance Survey 1" Old Series

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

c) Ordnance Survey 1:25" 1st Edition

The Ordnance Survey 25" 1st Edition map demonstrates evidence for the route as a physical feature only. The route is shown specifically numbered on the map but there is no evidence for the route in the associated book of reference.

d) Ordnance Survey 1:25" 2nd Edition

The Ordnance Survey 25" 2nd Edition map demonstrates evidence for the route. The route is shown un-named on the map therefore the object name book has not been examined. The route is described under the heading "Main Roads" on the 25" Characteristics Sheet.

e) Ordnance Survey 1" New Series

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 under the heading "2nd 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.

Alignment of the case file route:

From the analysis of the early Ordnance Survey maps and modern Ordnance Survey maps it would appear that the length B – D is no longer shown as a

physical feature on modern OS maps. The lengths A – B and D – E do not appear to have changed alignment.

Evidence of Width:

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

Contradictory evidence:

No contradictory evidence was found for the route.

Outcome of the evaluation:

Case file SH/130/001 was included in the research scope by the Shropshire County Council during the course of research due to the discovery of evidence suggesting the existence of a public right of way.

From the documents examined it is possible to establish that the case file route is shown over the two Finance Act Survey maps uncoloured and excluded from hereditaments. This suggests that this length of the route at least 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. A Deposited Railway Record (DP/401) demonstrates evidence for the route, with the Book of Reference describing the route as 'Public', in this case a "public highway" with the owner of the route listed as a public body. Furthermore, on the section the route is described as a Public Road to be raised 16 feet and carried over Railway". The route is shown across two Tithe Survey maps as a physical feature. The route is also shown on the supporting Ordnance Survey records, but these provide no evidence of status. The two Non-Ordnance Survey Commercial maps demonstrate evidence for the entire route. On Baugh's map the route is described under the heading "By-roads" in the map key. On Greenwood's map the route is described under the heading "Cross Roads" in the map key. For the purposes of Discovering Lost Ways research, the identification of a route as a cross road is taken as evidence of reputation of the route as a highway, but is not taken in itself to provide evidence of the class of these rights above that of a bridleway.

The Ordnance Survey 1" New Series map describes the route under the heading "2nd Class Metalled Road" in the map key. For the purpose of the Discovering Lost Ways Project research it has been agreed that the showing of routes as 1st, 2nd or 3rd class metalled roads on OS 1" New Series maps will be taken as evidence of the

existence of public vehicular rights. It is considered therefore that a public vehicular right of way existed over the route at the time of the survey.

The route runs over a Test Track and Airfield which all evidence suggests are still in use. This suggests that there was a permanent stopping-up (of length B – D) after the land was used in the Second World War as an airfield. However, there is no evidence to suggest that the route has been stopped-up or diverted within any of the documents examined. It is recommended that further research into the Ministry of Defence or local authority records would be needed before any application to add length B – D to the definitive map. These documents are currently beyond the scope of the Archive Research Unit.

The evidence found for lengths A – B & D - E meet 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 these lengths have therefore been categorised as “Strong”, supporting the making of a definitive map modification order application to add lengths A – B & D - E 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 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 3.4: Deposited Railway Records
Discovering Lost Ways Research Standard 3.7: Ordnance Survey Records
Discovering Lost Ways Research Standard 3.8: Non-OS Commercial Mapping
Discovering Lost Ways Research Standard 3.9: Estate Records
Discovering Lost Ways Research Standard 4.0: Combining & Evaluating Evidence

Appendix B - Acknowledgements

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