
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 SJ6588 2678) to Point C (OSGR SJ6635 2578)

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 DLW SH/044/004 BHS which contains copies of the following documents or extracts thereof:***
- Estate Map, SHR 327/5/16/20, entitled "A Plan of certain Farms at Childs Ercall; as proposed to be Let from Ladyday 1802", dated 1802
- Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWLS (...)", dated 1808
- Ordnance Survey Surveyors Drawings, SHR 209, entitled "Market Drayton", dated 1815
- Non-Ordnance Survey Commercial Map, SHR GREENWOODS 1827, entitled "Map of the County of SALOP FROM AN ACTUAL SURVEY BY C. & J. GREENWOOD.", dated 1827
- Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1 mile, entitled "Folder 1 1833-35", dated 1833-35
- Tithe Apportionment, TNA IR 29/29/76, entitled "Apportionment or Rent charge in Lieu of Tithes in the parish of Childs Ercall in the County of Salop", dated 1838
- Tithe Map, TNA IR 30/29/76, entitled "Plan of the Parish of Childs Ercall in the County of Salop", dated 1840
- Ordnance Survey 25" 1st Edition, BL None, entitled "Shropshire (Northern Division) Sheet XXIII.5 - Stoke Upon Tern, Hodnet & Childs Ercall Parishes", dated 1880
- Ordnance Survey 25" 2nd Edition, BL 1601(37), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXIII 5", dated 1900
- Ordnance Survey 25" 2nd Edition ONB, TNA OS/35/5989, entitled "Name Book Sheet 23 NW plans 1, 2, 5, 6", dated 1900
- Ordnance Survey 1" New Series, BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM", dated 1902
- Finance Act Survey Map, TNA IR 132/4/243, entitled "Shropshire Sheet XXII.6 - Second Edition 1902", dated 1910

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



Signed:

Date:27/8/2020.....

Wildlife and Countryside Act 1981

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

For a route at Ollerton Lane in the Parish of Childs Ercall, Shropshire to be shown as a Public Bridleway

Applicant's Reference: DLW SH/044/004 BHS



11 / 01 / 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 Statemen



Client:
Natural England
Discovering Lost Ways Project

Case File Ref. No.	SH/044/004
Name	Crow Lane
Historic County	Shropshire
Sub-Unit	Shropshire Sub-unit 1
Parish(es)	Childs Ercall
Surveying Authority	Shropshire County Council
Definitive Map Ref. No.	None
Other Designation(s) Ref. No.	None
Route Length	1144 metres
OS 1:10,000 Sheet(s)	SJ62NE
Grid Ref (start)	SJ6588 2678
Grid Ref (end)	SJ6635 2578
ARU ASSESSMENT OUTCOME	
Status/Class	Public carriageway
Strength	Strong
Comment	Shown un-coloured and excluded from the hereditaments on the Finance Act Survey Map, described as a '3 rd class metalled road' on the OS 1" New Series 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/044/004 was included in the research scope as part of the Discovering Lost Ways Project by Shropshire County Council as the route was present on the 1929 Handover maps but is not currently recorded on the list of streets.

From the documents examined it is possible to establish that the case file route is shown on the Finance Act Survey map 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 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 also shown as a physical feature on the Tithe Survey map and an Estate map. The route is also shown on the supporting Ordnance Survey Maps, named as "Crow Lane", but this provides no evidence of status or class (with the exception of the 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 "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 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.

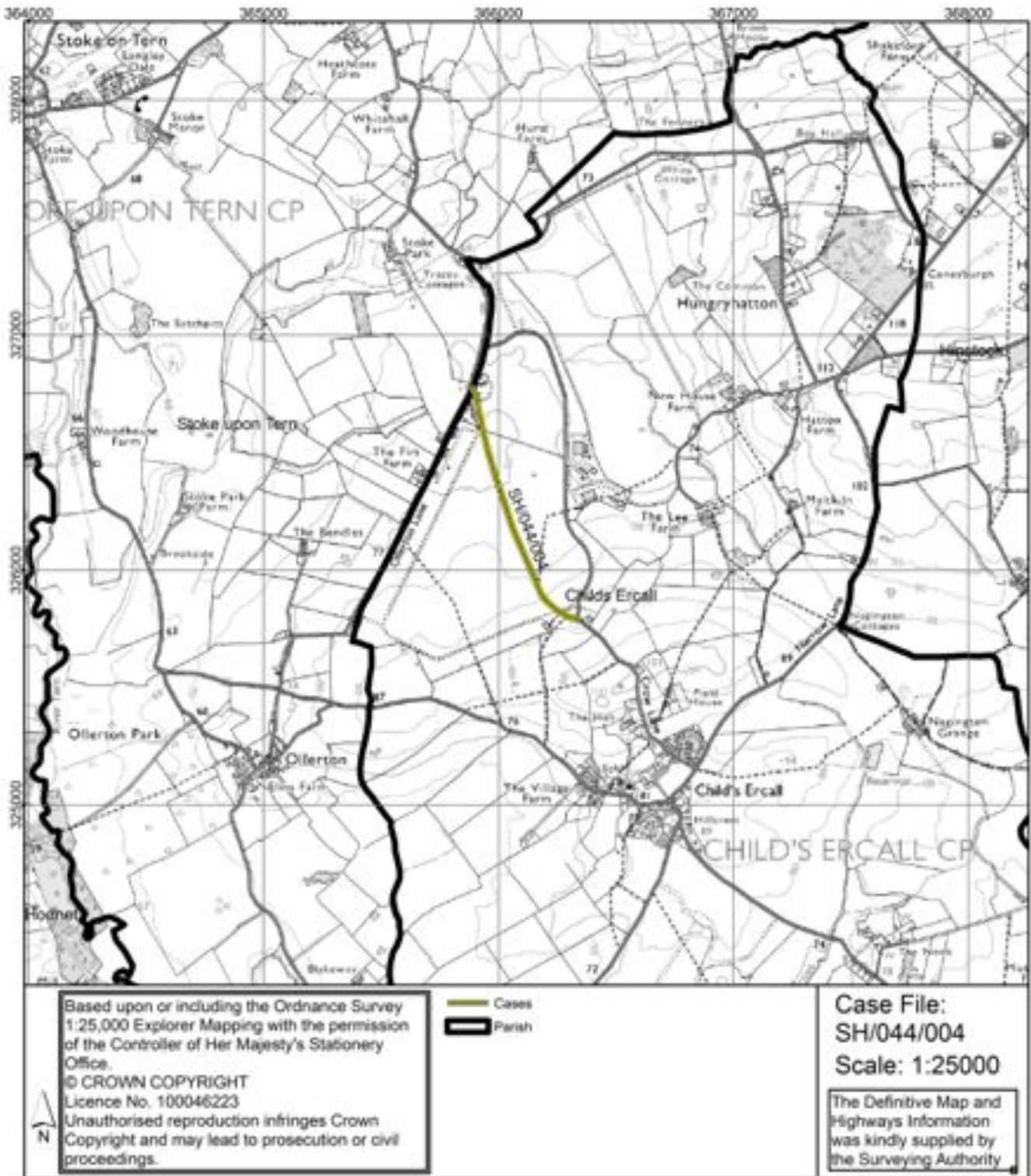
2. Description of Route

The route begins at the junction with Ollerton Lane (which has been given the reference C2095/40 on Shropshire County Council's List of Streets) at coordinate SJ6588 2678 (Point A on the Case File Route Map). The route then continues in a south easterly direction where it meets current public footpath 0205/8-0/FP at coordinate SJ6617 2591 (Point B on the Case File Route Map). The route continues along the same trajectory where it eventually terminates at a junction with Crow Lane (which has been given the reference U3233/20 on Shropshire County Council's List of Streets) at coordinate SJ6635 2578 (Point C on the Case File Route Map).

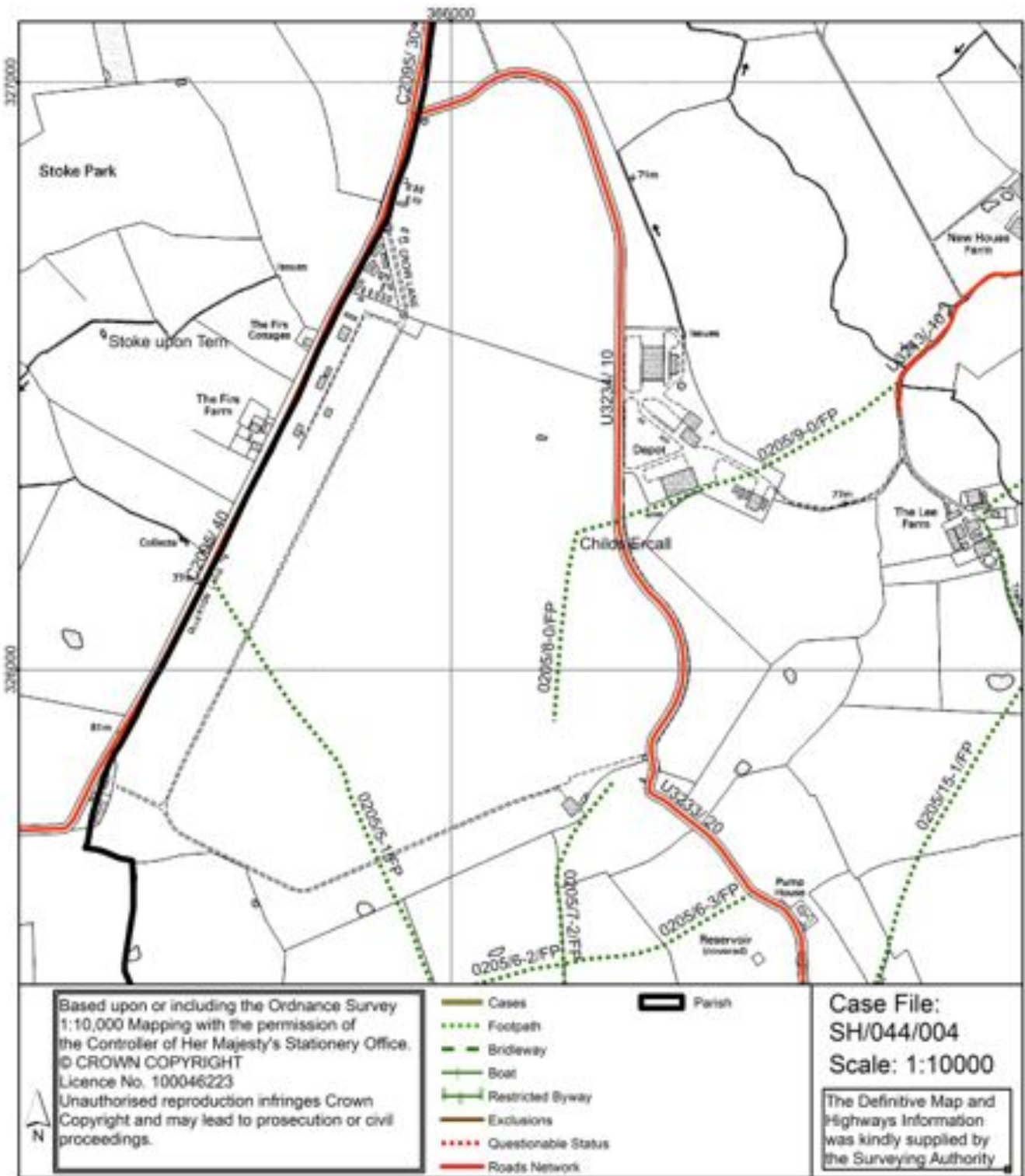
The route has a length of 1144 metres.

During the research process, the whole of the case file reference number SH/044/004 was identified with the case route number T000997. 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).

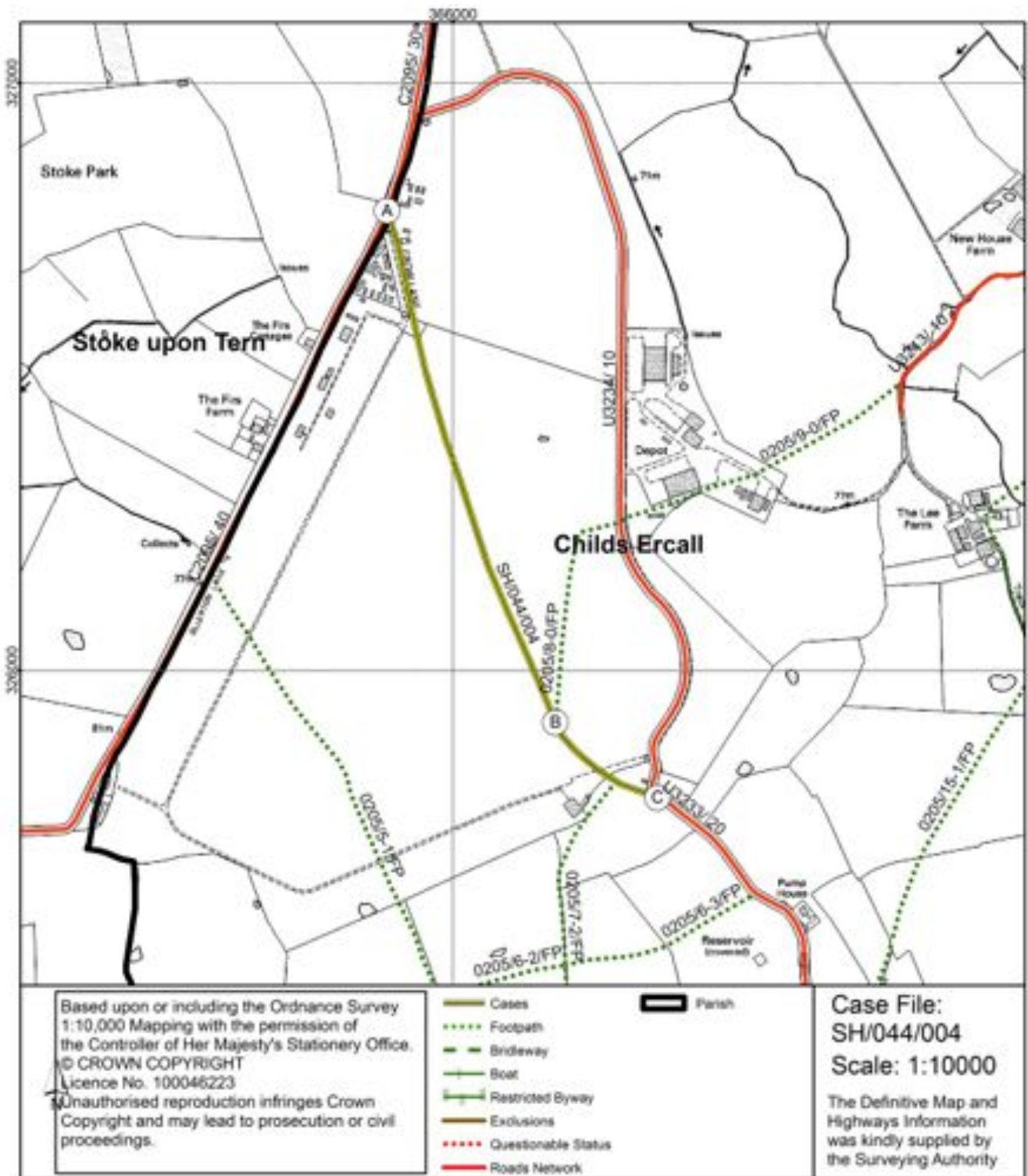
3. Location Plan



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/044/004 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.

N.B. An Inclosure map exists for the parish of Childs Ercall in Shropshire Record Office (reference number 327/BOLE 283/Map 4, 5). At the time of visiting Shropshire Archive by the Archive Research Unit, this Inclosure document was unavailable and therefore could not be researched.

1. Estate Map, SHR 327/5/16/20, entitled "A Plan of certain Farms at Childs Ercall; as proposed to be Let from Ladyday 1802", dated 1802, demonstrates evidence for all of route T000997. The route is observed to commence at a road junction to the west of parcel number "A126" on the map. The route is shown on the map 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 with an annotated limitation in this case a gate (located at point B on the Case File Route Map). The route is observed to terminate at the south west corner of parcel number "I224" on the map.



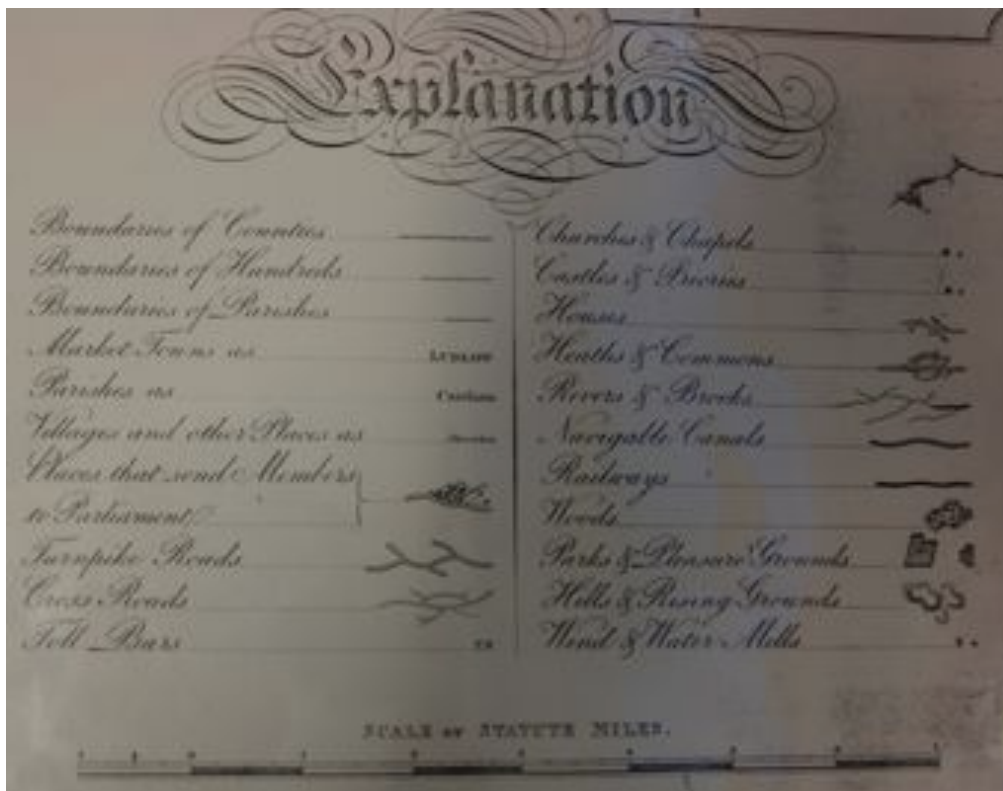


2. Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWLS Lord Lieutenant and Custos Rotulorum of the Counties of SALOP AND MONTGOMERY This MAP of SHROPSHIRE is humbly and respectfully dedicated by his LORDSHIPS obliged and obedient Servant ROBERT BAUGH", dated 1808, demonstrates evidence for all of route T000997. The route is observed to commence at a road junction to the east of "Wood House" on the map. The route is described in a manner which fails to confer any indication of status, in this case under the heading "By-roads" in the map key. The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate to the south of the letter "a" of "Sayer Fields" on the map (although the route it forms part of is shown to continue on the map).

commence a road junction to the south west of "New House" marked on the map. The route is shown uncoloured on the Ordnance Surveyor's Drawing 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 to the north east of "Ollerton Lane" marked on the map (although the route it forms part of is shown to continue on the map).



4. Non-Ordnance Survey Commercial Map, SHR GREENWOODS 1827, entitled "Map of the County of SALOP FROM AN ACTUAL SURVEY BY C. & J. GREENWOOD.", dated 1827, demonstrates evidence for all of route T000997. The route is observed to commence at a road junction to the east of "Wood Ho." on the map. The route is shown on map and is 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 road junction to the south of "Sayer Fields" marked on the map (although the route it forms part of is shown to continue on the map).



5. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1 mile, entitled "Folder 1 1833-35", dated 1833-35, demonstrates evidence for all of route T000997. The route is observed to commence at a road junction immediately west of "Crow Lane" 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 shown on the map and named as "Crow Lane". The route is observed to terminate to the south of "Sayer Fields" marked on the map (although the route it forms part of is shown to continue on the map).



6. Tithe Apportionment, TNA IR 29/29/76, entitled "Apportionment or Rent charge in Lieu of Tithes in the parish of Childs Ercall in the County of Salop", dated 1838, demonstrates evidence for all of route T000997. The route is described in a manner which fails to confer any indication of status, i.e. as "House and Lane" on page "17", in parcel number "179".

LANDOWNER	ADDRESS	Parcel No. in the	NAME AND DESCRIPTION OF LAND AND TENURES	STATE OF ACQUISITION	MEASURED		Area of the Plot shown on the map in sq. ft. or in the acres	REMARKS
					BY	DATE		
<i>Robert Sir Robert the baronet of predecessor</i>	<i>Joseph Edwards Ironfounder</i>	601	<i>Straggle forward</i>		126	2.20	27.11.0	
		602	<i>Ed. Rowden</i>		2	2.12	1.18.10	
		603	<i>Bank</i>		2	2.1	1.18.10	
		604	<i>Barlston</i>		2	2.18	2.17.5	
		605	<i>Down and West</i>		1	1.20	-	
		606	<i>Woodland</i>		2	2.25	1.19.0	
		607	<i>Part of Robinson street</i>		2	2.7	1.15.5	
		608	<i>Part of "B"</i>		2	2.7	1.15.5	
		609	<i>Robinson Street</i>		11	1.19	2.11.8	
		610	<i>Woodland</i>		11	1.21	2.12.5	
		611	<i>Down</i>		1	1.21	1.15.5	
		612	<i>King's Hill</i>		1	1.21	1.15.5	
		613	<i>King's Hill</i>		1	1.21	1.15.5	
		614	<i>King's Hill</i>		1	1.21	1.15.5	
615	<i>King's Hill</i>		1	1.21	1.15.5			
						2.18.1.25.22.9.0		
<i>William Marshall</i>	291	<i>House Garden &</i>				6.10.0	CR3300	
<i>James Lewis</i>		<i>House & Garden</i>						
<i>John Hudson</i>		<i>House and Garden</i>						
<i>George Wilson</i>	332	<i>House and Garden</i>						
<i>Thomas Marshall</i>	605	<i>House and Garden Drooly Lane</i>						
<i>John Bentley</i>	603	<i>House and Garden</i>						
	607	<i>Part of Robinson St</i>						
	608	<i>Part of "B"</i>						
	609	<i>Robinson Street</i>						
	610	<i>Woodland</i>						
	611	<i>Down</i>						
<i>George Bentley</i>	179	<i>House and Lane</i>						
	178	<i>Garden</i>						
	180	<i>Part</i>						
	181	<i>"B"</i>						
	182	<i>"B"</i>						
		<i>Straggle forward</i>						

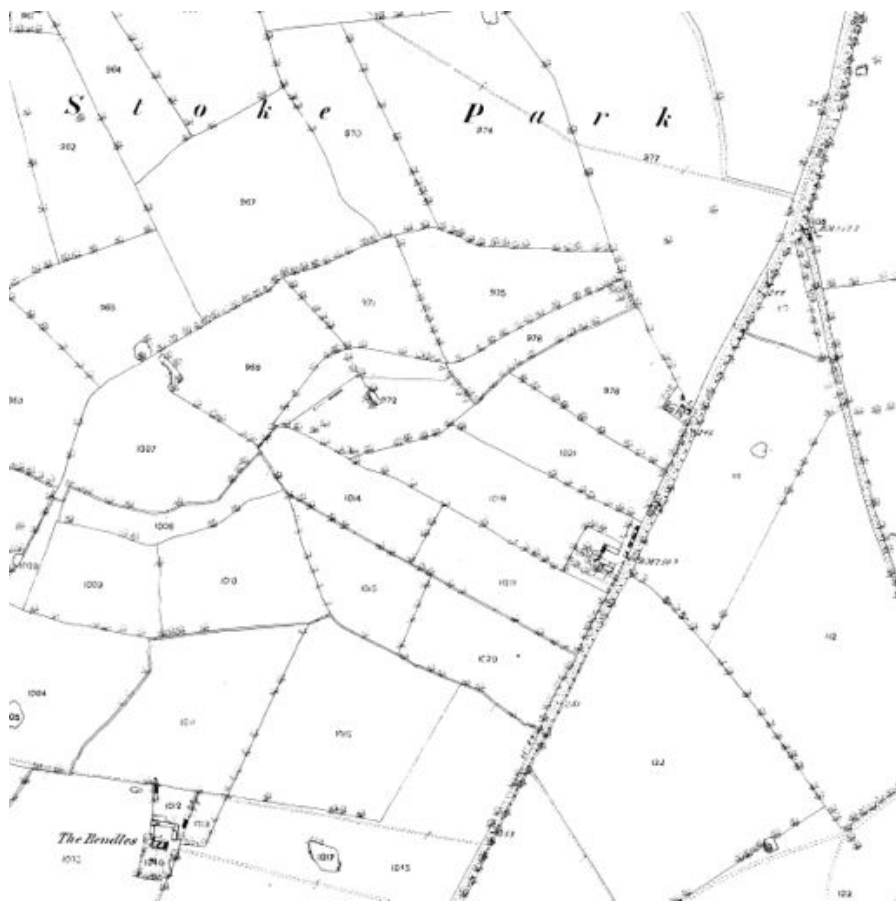
29-76

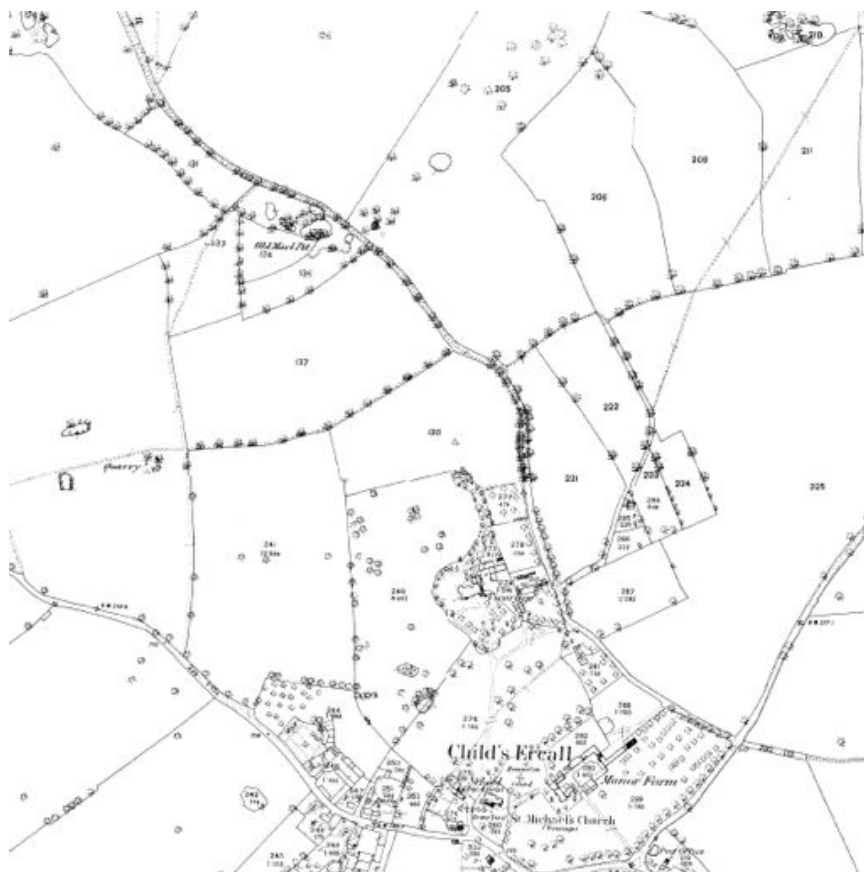
17

7. Tithe Map, TNA IR 30/29/76, entitled "Plan of the Parish of Childs Ercall in the County of Salop", dated 1840, demonstrates evidence for all of route T000997. The route is observed to commence midway along the western boundary of parcel number "177" on the map. The route is shown specifically numbered on the map, in this case number "179" and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the south east corner of parcel number "189" on the map (although the route it forms part of is shown to continue on the map).



8. Ordnance Survey 25" 1st Edition, BL None, entitled "Shropshire (Northern Division) Sheet XXIII.5 - Stoke Upon Tern, Hodnet & Childs Ercall Parishes", dated 1880, demonstrates evidence for all of route T000997. This route is observed to commence at the south west corner of parcel number "108" on the map (shown on 30SJ6526). The route is shown depicted as consisting of two parallel solid black lines with two parallel dashed black lines through the middle. The route shown on the map specifically numbered as "132" (shown on 30SJ6625) and is named as "Crow Lane" (shown on 30SJ6626). The route is observed to terminate towards the south east corner of parcel number "126" on the map (shown on 30SJ6625).

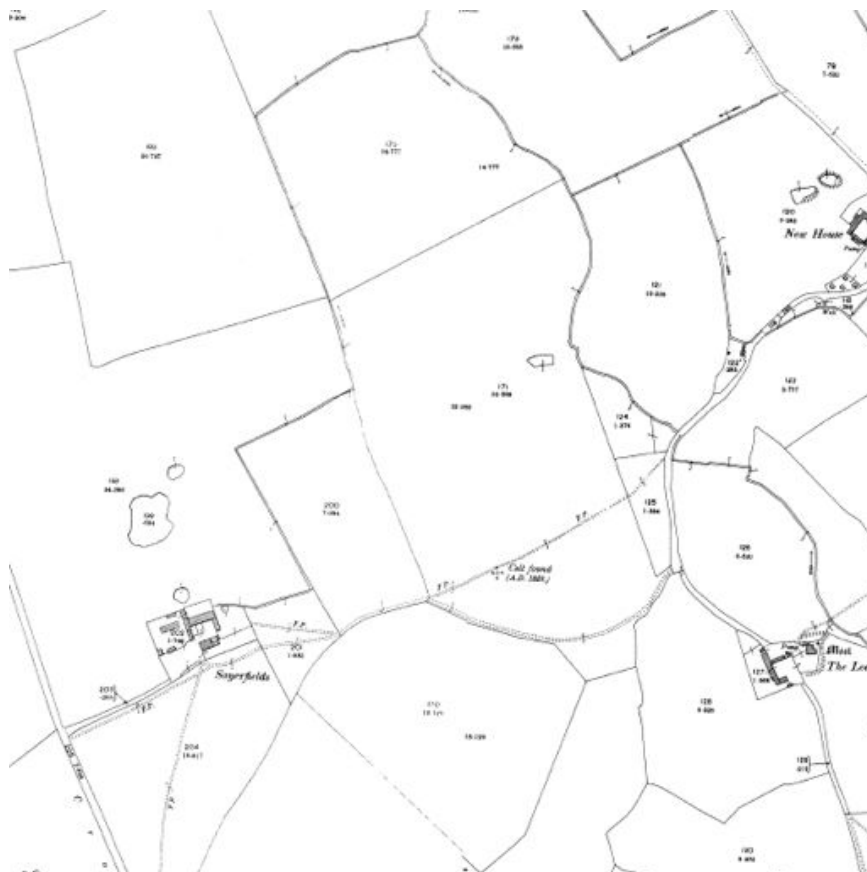
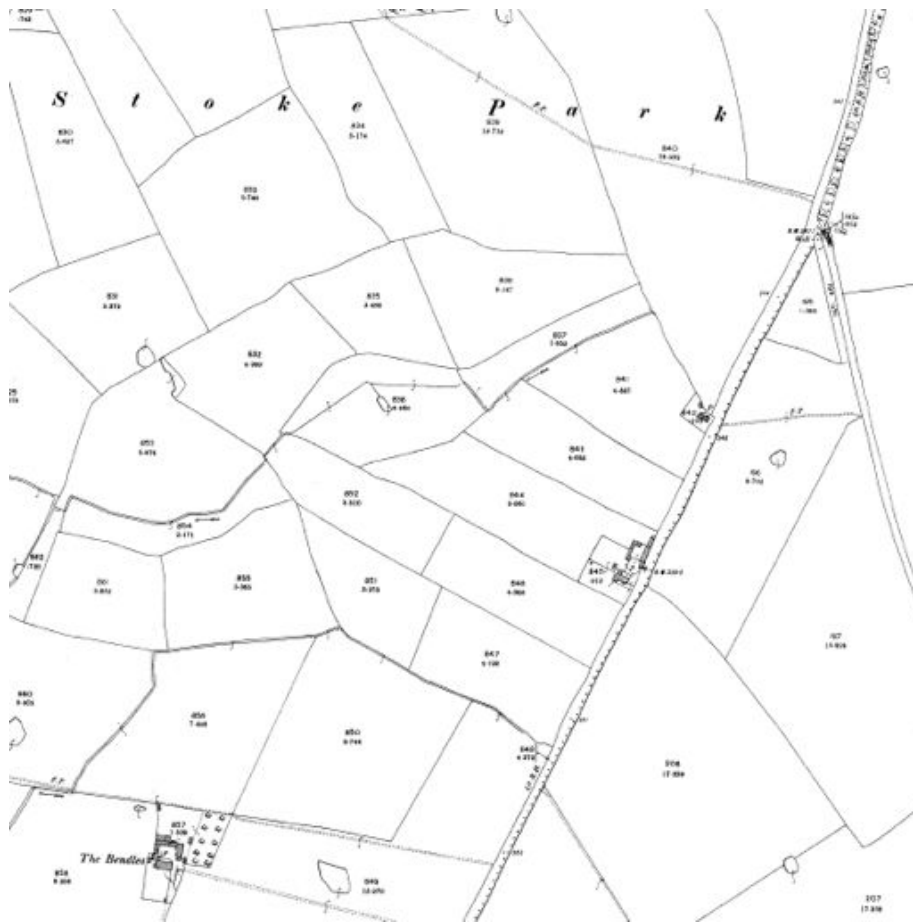


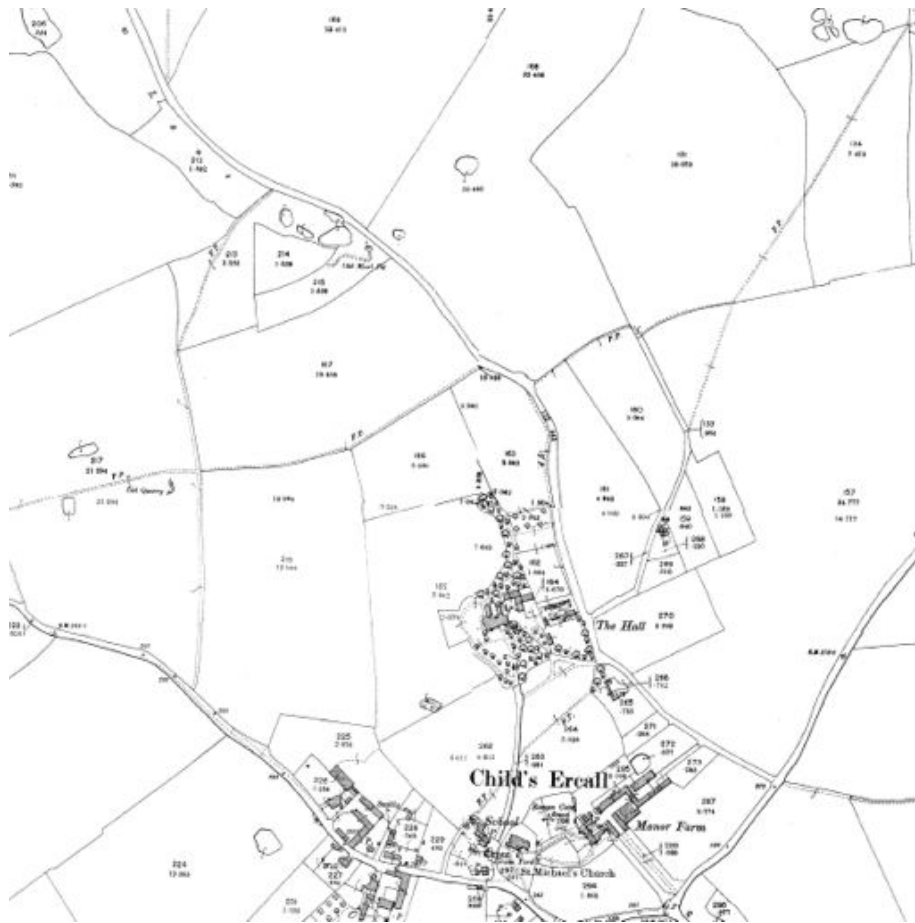


9. Ordnance Survey 25" 1st Edition Book of Reference, BL None, entitled "Book of Reference to the Plan of the parish of Stoke Upon Tern, Shropshire-(Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/044/004.

10. Ordnance Survey 25" 1st Edition Book of Reference, BL None, entitled "Book of Reference to the Plan of the Parish of Childs Ercall, Shropshire-(Northern Division) ", dated 1881, covers the area but demonstrates no evidence for case SH/044/004.

11. Ordnance Survey 25" 2nd Edition, BL 1601(37), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXIII 5", dated 1900, demonstrates evidence for all of route T000997. The route is observed to commence at the north east corner of parcel number "194" on the map (shown on 30SJ6526). The route is shown on the map and named as "Crow Lane" (shown on 30SJ6626 and 30SJ6625) and is depicted as consisting of two parallel solid black lines. The route is observed to terminate towards the south east corner of parcel number "169" on the map (shown on 30SJ6625).

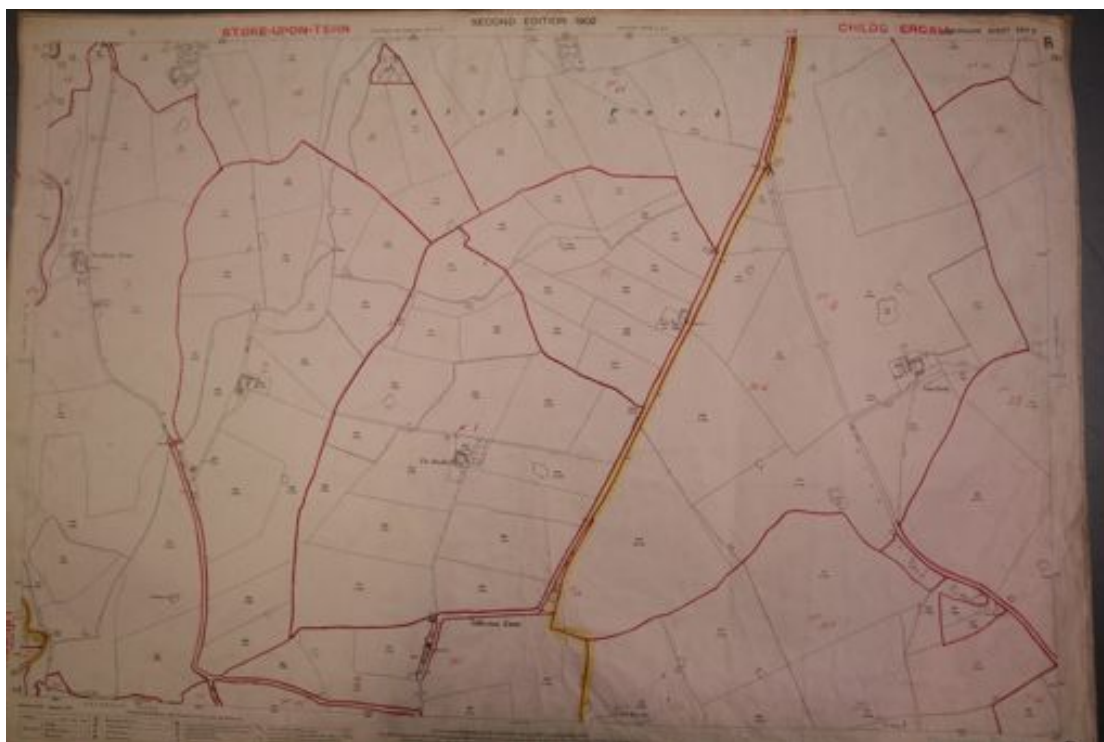




12. Ordnance Survey 25" 2nd Edition ONB, TNA OS/35/5989, entitled "Name Book Sheet 23 NW plans 1, 2, 5, 6", dated 1900, demonstrates evidence for all of route T000997. The route is described in a manner which fails to confer any indication of status, i.e. as "Road" on page "7". Crow Lane, which the route forms part of, is described as "applies to road extending from junction of roads in Stoke Park to junction of roads at Childs Ercall" in the object name book.

13. Ordnance Survey 1" New Series, BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM", dated 1902, demonstrates evidence for all of route T000997. The route is observed to commence at a point north west of "Sayerfields" on the map. The route is shown on the map and is described in the key under the heading "3rd Class Metalled Road" and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a point south east of the commencement point.

14. Finance Act Survey Map, TNA IR 132/4/243, entitled "Shropshire Sheet XXII.6 - Second Edition 1902", dated 1910, demonstrates evidence for all of route T000997. The route is observed to commence at the north east corner of OS parcel number "194" on the map. The route is shown uncoloured and excluded from hereditaments. The route is observed to terminate towards the south east corner of OS parcel number "169" 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	C	SHR Map 327/5/16/20 - A Plan of certain Farms at Childs Ercall; as proposed to be Let from Ladyday 1802	1802	6.1	EM2	Shown on map un-numbered and not contained within numbered parcel
					EM7	Annotated Limitations i.e. - 'Stile', 'Gate'
Non-OS Commercial Mapping	C	SHR Map R BAUGH 1808 sheet 2 - To the Right Honourable EDWARD EARL OF POWLS Lord Lieutenant and Custos Rotulorum of the Counties of SALOP AND MONTGO	1808	6.2	NOS10	Route shown on map fits generic description of non-status specific routes as described in legend

		MERY This MAP of SHROPSH IRE is humbly and respectfull y dedicated by his LORDSHI PS obliged and obedient Servant ROBERT BAUGH				
Ordnance Survey Records Surveyors Drawings	C	SHR 209 - not given	1817	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
Non-OS Commercial Mapping	B(ii)	SHR Map GREENW OODS 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY BY C. & J. GREENW OOD.	1827	6.4	NOS15	Shown on map as Driving Road or Crossroad
Ordnance Survey Records 1" Old Series	C	SHR Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	6.5	OSM5	Route shown on OS 1" Old Series map
					OSM15	Route named on map Route

						named on map Route named on map
Tithe Survey Records	C	TNA Apportionment IR/29/29/76 - Apportionment or Rent charge in Lieu of Tithes in the parish of Childs Ercall in the County of Salop	1838	6.6	TA3	Described as non status specific, 'Occ Road', 'Ftpath'
		TNA Map IR/30/29/76 - Plan of the Parish of Childs Ercall in the County of Salop	1840	6.7	TM1	Route specifically numbered on plan
Ordnance Survey Records 25" 1st Edition	C	BL None - Shropshire (Northern Division) Sheet XXIII.5 - Stoke Upon Tern, Hodnet & Childs Ercall Parishes	1880	6.8	OSM23	Route specifically numbered on plan
					OSM1	Route named on map
					OSM23	Route specifically numbered on plan
Ordnance Survey Records 25" 2nd Edition	C	BL 1601(37) - SECOND EDITION 1902 SHROPSHIRE SHEET XXIII 5	1900	6.11	OSM8	Route named on map
		TNA OS/35/5989 - Name Book Sheet 23 NW plans 1,2,5,6	1900	6.12	ONB5	Route described as non-status specific i.e. - 'Occupation Road' or 'Footpath'

					ONB3	Description mentions start and / or end points i.e. - 'To' or 'from'
Ordnance Survey Records 1" New Series	B(ii)	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	6.13	OSM26	Route described as '3rd class metalled road' on key or Characteristics Sheet
					OSM20	Route un-named on map
Finance Act Survey Records	B(i)	TNA Map IR 132/4/243 - Shropshire Sheet XXII.6 - Second Edition 1902	1910	6.14	FA1	Route excluded from Hdtmt

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
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Estate Records	SHR Map 327/5/16/20 - A Plan of certain Farms at Childs Ercall; as proposed to be Let from Ladyday 1802	1802	RC14	Unspecified
Non-OS Commercial Mapping	SHR Map R BAUGH 1808 sheet 2 - 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	1808	RC12	Road
Ordnance Survey Records Surveyors Drawings	SHR 209 - not given	1817	RC14	Unspecified
Non-OS Commercial Mapping	SHR Map GREENWOOD S 1827 - Map of the County of	1827	RC12	Road

	SALOP FROM AN ACTUAL SURVEY BY C. & J. GREENWOOD.			
Ordnance Survey Records 1" Old Series	SHR Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	RC15	Lane
Tithe Survey Records	TNA Apportionment IR/29/29/76 - Apportionment or Rent charge in Lieu of Tithes in the parish of Childs Ercall in the County of Salop	1838	RC15	Lane
	TNA Map IR/30/29/76 - Plan of the Parish of Childs Ercall in the County of Salop	1840	RC14	Unspecified
Ordnance Survey Records 25" 1st Edition	BL None - Shropshire (Northern Division) Sheet XXIII.5 - Stoke Upon Tern, Hodnet & Childs Ercall Parishes	1880	RC15	Lane
Ordnance Survey Records 25" 2nd Edition	BL 1601(37) - SECOND EDITION 1902 SHROPSHIRE SHEET XXIII 5	1900	RC15	Lane

	TNA OS/35/5989 - Name Book Sheet 23 NW plans 1,2,5,6	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 132/4/243 - Shropshire Sheet XXII.6 - Second Edition 1902	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
Estate Records	SHR Map 327/5/16/20 - A Plan of certain Farms at Childs Ercall; as proposed to be Let from Ladyday 1802	1802	PA1	two parallel solid black lines
Non-OS Commercial Mapping	SHR Map R BAUGH 1808 sheet 2 - To the	1808	PA1	two parallel solid black lines

	<p>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</p>			
Ordnance Survey Records Surveyors Drawings	SHR 209 - not given	1817	PA1	two parallel solid black lines
Non-OS Commercial Mapping	SHR Map GREENWOOD S 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY BY C. & J. GREENWOOD.	1827	PA1	two parallel solid black lines
Ordnance Survey Records 1" Old Series	SHR Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	PA1	two parallel solid black lines
Tithe Survey	TNA Map	1840	PA1	two parallel solid

Records	IR/30/29/76 - Plan of the Parish of Childs Ercall in the County of Salop			black lines
Ordnance Survey Records 25" 1st Edition	BL None - Shropshire (Northern Division) Sheet XXIII.5 - Stoke Upon Tern, Hodnet & Childs Ercall Parishes	1880	PA2	two parallel dashed black lines
Ordnance Survey Records 25" 2nd Edition	BL 1601(37) - SECOND EDITION 1902 SHROPSHIRE SHEET XXIII 5	1900	PA1	two parallel solid black lines
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	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 specifically numbered with the corresponding entry in the associated appointment describing the route in a manner which fails to confer any indication of status i.e. as "House and Lane".

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 part of the route was considered to be a public highway at the time of the Finance Act survey, but does not in itself provide evidence about the class of rights that existed over it.

3. Estate Records

The route is shown on the Estate map un-numbered and not within a numbered parcel but there is an annotated limitation, in this case a gate shown part way along the route. The Estate map evidence on the whole demonstrates that route existed as a physical feature only at the time the map was produced.

4. Non-Ordnance Survey Commercial Mapping

Two Non-Ordnance Survey maps demonstrate evidence for the route. On Greenwoods map 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. On Baugh's map the route is included under the heading "By-roads" in the map key, which is interpreted as neutral evidence of both and status and class.

5. Ordnance Survey Records

a) Ordnance Survey Surveyors Drawings

The Ordnance Survey Surveyors Drawings demonstrates evidence for the route as a physical feature only.

b) Ordnance Survey 1" Old Series

The Ordnance Survey 1" Old Series map demonstrates evidence for the route as a physical feature. The route is shown on the map and is named as "Crow Lane".

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 in the associated book of reference for the route. The route is also named on the map as "Crow Lane".

d) Ordnance Survey 25" 2nd Edition

The Ordnance Survey 25" 2nd Edition demonstrates evidence for the route as a physical feature only. The route is shown on the map and is named as 'Crow Lane'. The associated object name book describes "Crow Lane" as "applies to road extending from junction of roads in Stoke Park to junction of roads at Childs Ercall". However, this is interpreted as neutral evidence of both status and class.

e) Ordnance Survey 1" Revised New Series

The Ordnance Survey 1" Revised New Series map demonstrates evidence for the route. The route is shown on the map and is described in the map key under the heading "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" Revised 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 Estate map and modern Ordnance Survey maps the route does not appear to have changed alignment. However, between point C and a point just north of point A there is a road (now recorded on the list of streets with the reference U3234/10) which follows the alignment of a route not shown on any of the documents that have been researched. This strongly suggests that a diversion took place, most likely as a consequence of the area being used as an airfield or some similar purpose during wartime. The straight tracks running just south west from point C and then north parallel to the Ollerton Lane to near point A appear to be characteristic remnants of a war-time airfield. It is suspected that a subsequent legal event has stopped up the rights along the case file route. Shropshire County Council may have evidence, either in the highway records or in the definitive map records (note that 0205/8-0/FP ends at a dead-end on the definitive map on the alignment of the case file route). The records of permanent extinguishment or diversion of highways after the temporary stopping-up in wartime are held in the National Archives if not available in Shropshire. The recommendation is that further research of these records is carried out.

No 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 SH/044/004 was included in the research scope as part of the Discovering Lost Ways Project by Shropshire County Council during as the route was present on the 1929 Handover maps but is not currently recorded on the list of streets.

From the documents examined it is possible to establish that the case file route is shown on the Finance Act Survey map 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 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 also shown as a physical feature on the Tithe Survey map and an Estate map. The route is also shown on the supporting Ordnance Survey Maps, named as "Crow Lane", but this provides no evidence of status or class (with the exception of the 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 "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 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 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 3.8: 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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