
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:-

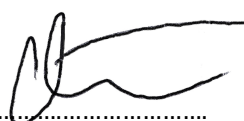
Adding the *bridleway* which runs from Point A (OSGR SJ7310 2762) to Point B (OSGR SJ7334 2801)

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/042/008 BHS which contains copies of the following documents or extracts thereof:**
- Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWLS (...) by his LORDSHIPS obliged and obedient Servant ROBERT BAUGH", dated 1808
- Ordnance Survey Surveyors Drawings, SHR 209, dated 1817
- Railway Plan, SHR DP/303, entitled "MAP or PLAN of an intended RAILWAY (...)" dated November 29th 1825
- Railway Section, SHR DP/303, entitled "SECTION of an intended RAILWAY (...)" dated November 29th 1825
- Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1 mile, entitled "Folder 1 1833-35", dated 1833-35
- Tithe Map, TNA IR 30/29/72, entitled "MAP OF THE TOWNSHIP OF GREAT SOUDLEY IN THE PARISH OF CHESWARDINE in five parts: part 3", dated 1840
- Ordnance Survey 25" 1st Edition, BL Vol 690 (4), entitled "Shropshire (Northern Division) Sheet XXIII.4 - Cheswardine & Hinstock Parishes", dated 1880
- Ordnance Survey 25" 2nd Edition, BL 1601(36), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXIII.4", dated 1900
- Ordnance Survey 1" New Series, BL Maps 1175 (134.) Sheet 139, entitled "OS of England Stafford", dated 1902
- Finance Act Survey Map, TNA IR 132/4/242, entitled "SHROPSHIRE SHEETS XXIII.4 & XXIV.1, STAFFORDSHIRE SHEETS XXVIII.15 & XXXV.3 (Parts of)", dated 1909/1910

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

Signed:


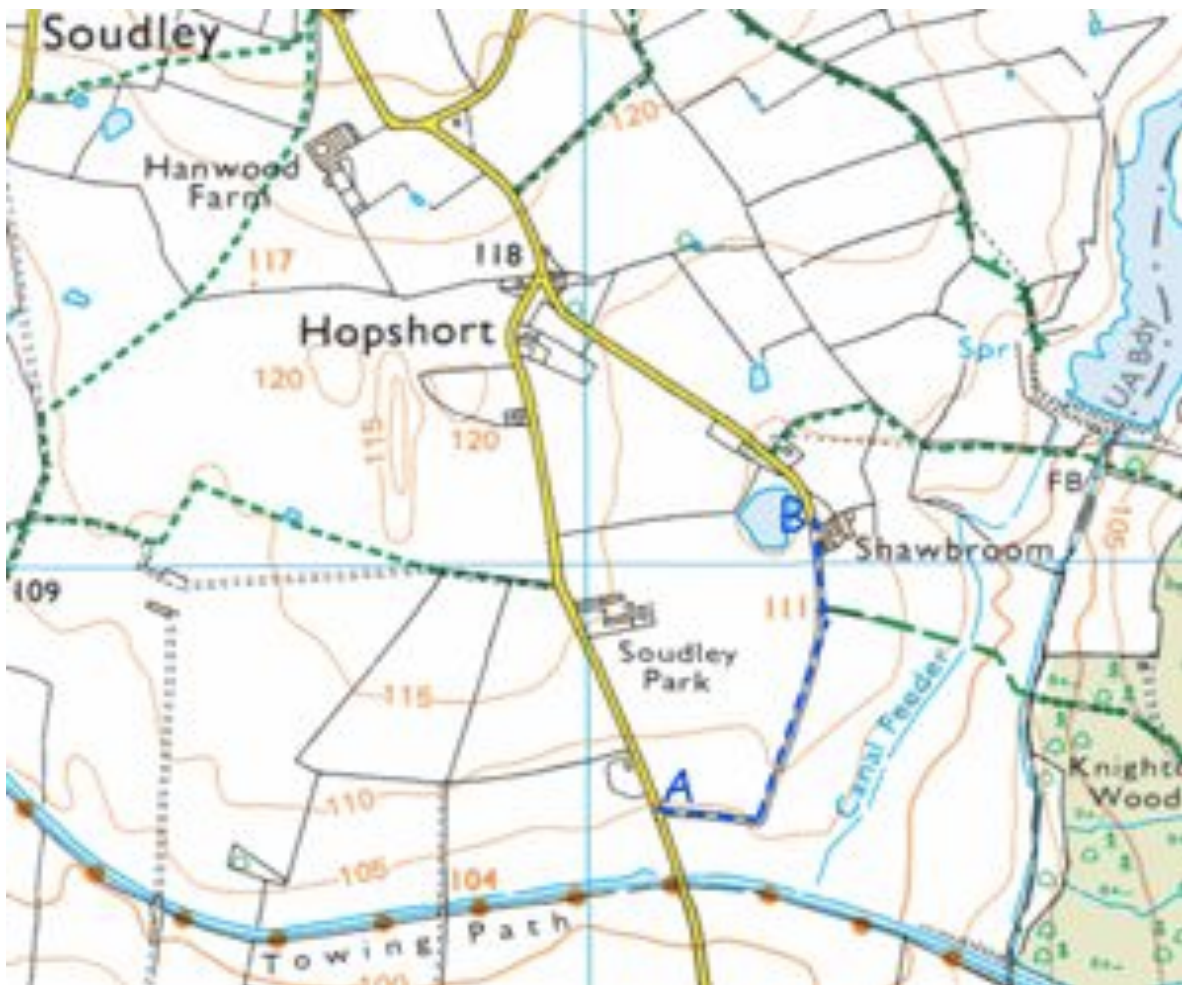
Date: 20/08/2020

Wildlife and Countryside Act 1981

Map to Accompany Definitive Map Modification Order Application

For a route at Soudley Park in the Parish of Cheswardine, Shropshire to be shown as
a Public Bridleway

Applicant's Reference: DLW SH/042/008 BHS



07 / 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 Statements)



Client:

**Natural England
Discovering Lost Ways Project**

| | |
|--|--|
| Case File Ref. No. | SH/042/008 |
| Name | Un-named |
| Historic County | Shropshire |
| Sub-Unit | Shropshire Sub-unit 1 |
| Parish(es) | Cheswardine |
| Surveying Authority | Shropshire County Council |
| Definitive Map Ref. No. | None |
| Other Designation(s) Ref. No. | None |
| Route Length | 575 metres |
| OS 1:10,000 Sheet(s) | SJ72NW |
| Grid Ref (start) | SJ7310 2762 |
| Grid Ref (end) | SJ7334 2801 |
| ARU ASSESSMENT OUTCOME | |
| Status/Class | Public carriageway |
| Strength | Strong |
| Comment | Shown excluded from the hereditaments on Finance Act Map. Described as 3rd class road on 1" New Series OS Map. |

Date:

02 May 2008

LandAspects
Rowan House
Lloyd Drive
Ellesmere Port
Cheshire CH65 9HQ

Table of Contents

| | |
|---|----|
| 1. Summary of Findings | 5 |
| 2. Description of Route | 6 |
| 3. Location Plan | 7 |
| 4. Current Definitive Paths | 8 |
| 5. Case File Route Map | 9 |
| 6. Details of Documentary Evidence | 10 |
| 7. Interpretation of Evidence from Individual Records | 22 |
| 8. Overall Evaluation of Evidence | 30 |
| Appendix A - Methodological Statement | 33 |
| Appendix B - Acknowledgements | 34 |

1. Summary of Findings

Case SH/042/008 was included in the research scope by Shropshire County Council as the route is present on the 1929 Handover Map but is not currently recorded on Shropshire County Council roads network / 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. Part of the length of the case file route is shown as a through-route on a Deposited Railway plan and is further described as a "Lane" in the accompanying section.

Two Non-Ordnance Survey Commercial maps demonstrate evidence for the route. 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 Ordnance Survey Records also support the existence of the route as a physical feature.

The Ordnance Survey 1" Revised New Series map demonstrates evidence for the route. The route is shown on the map and is described in the key 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" 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.

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.

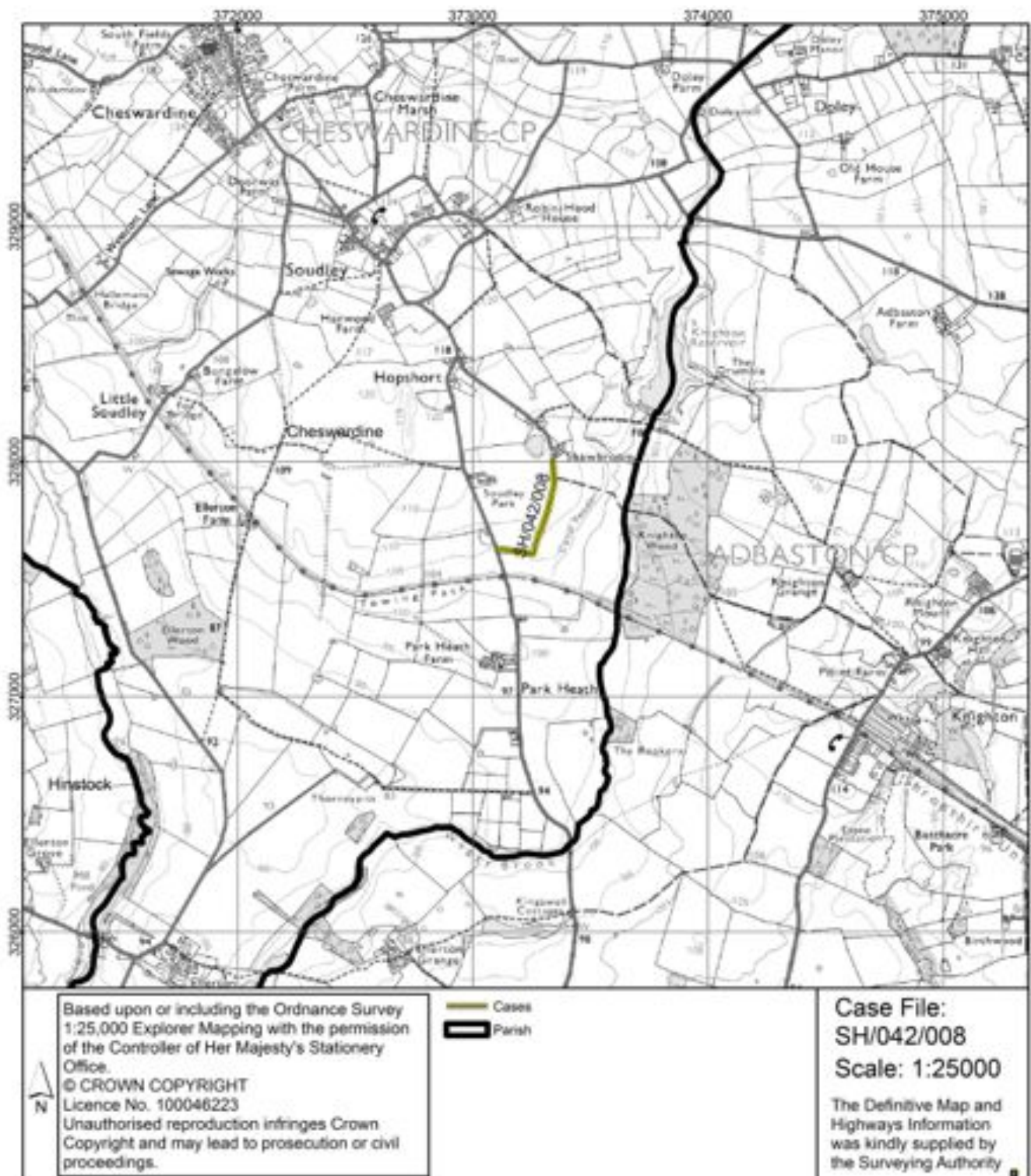
2. Description of Route

The route begins at a junction with a public road (which has been given the reference U2099/190 on Shropshire County Council's List of Streets) at coordinate SJ7310 2762 (point A on the Case File Route Map). From this point it continues in an easterly direction before changing direction and heading northwards. The route joins with Bridleway 0204/20-1 just before its termination point (B). The route terminates at a junction with Hopshort Lane (which has been given the reference U3123/10 on Shropshire County Council's List of Streets) at coordinate SJ7334 2801 (point B on the Case File Route Map).

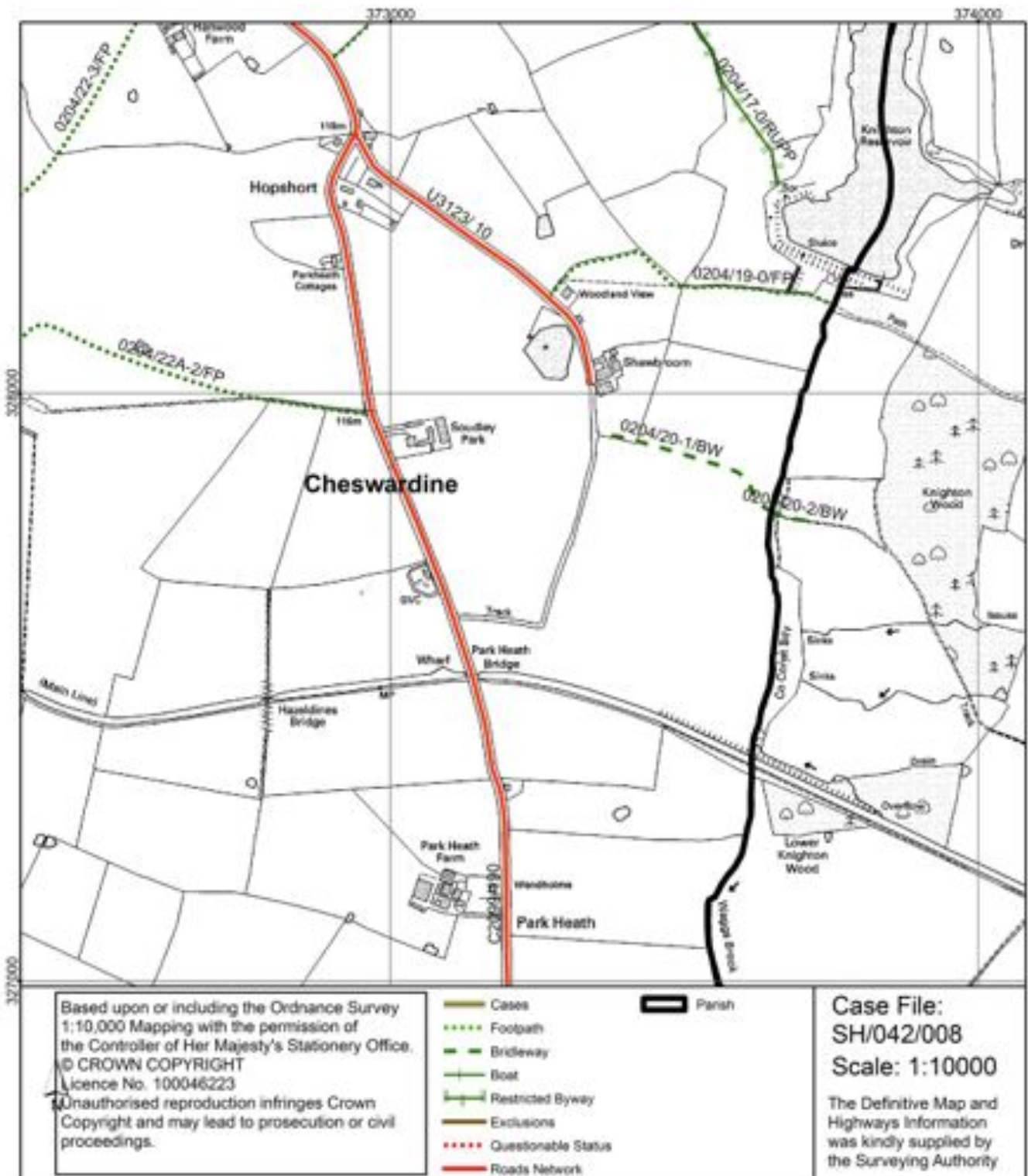
The route has a length of 575 metres.

During the research process, the whole of the case file reference number SH/042/008 was identified with the case route number T000998. 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).

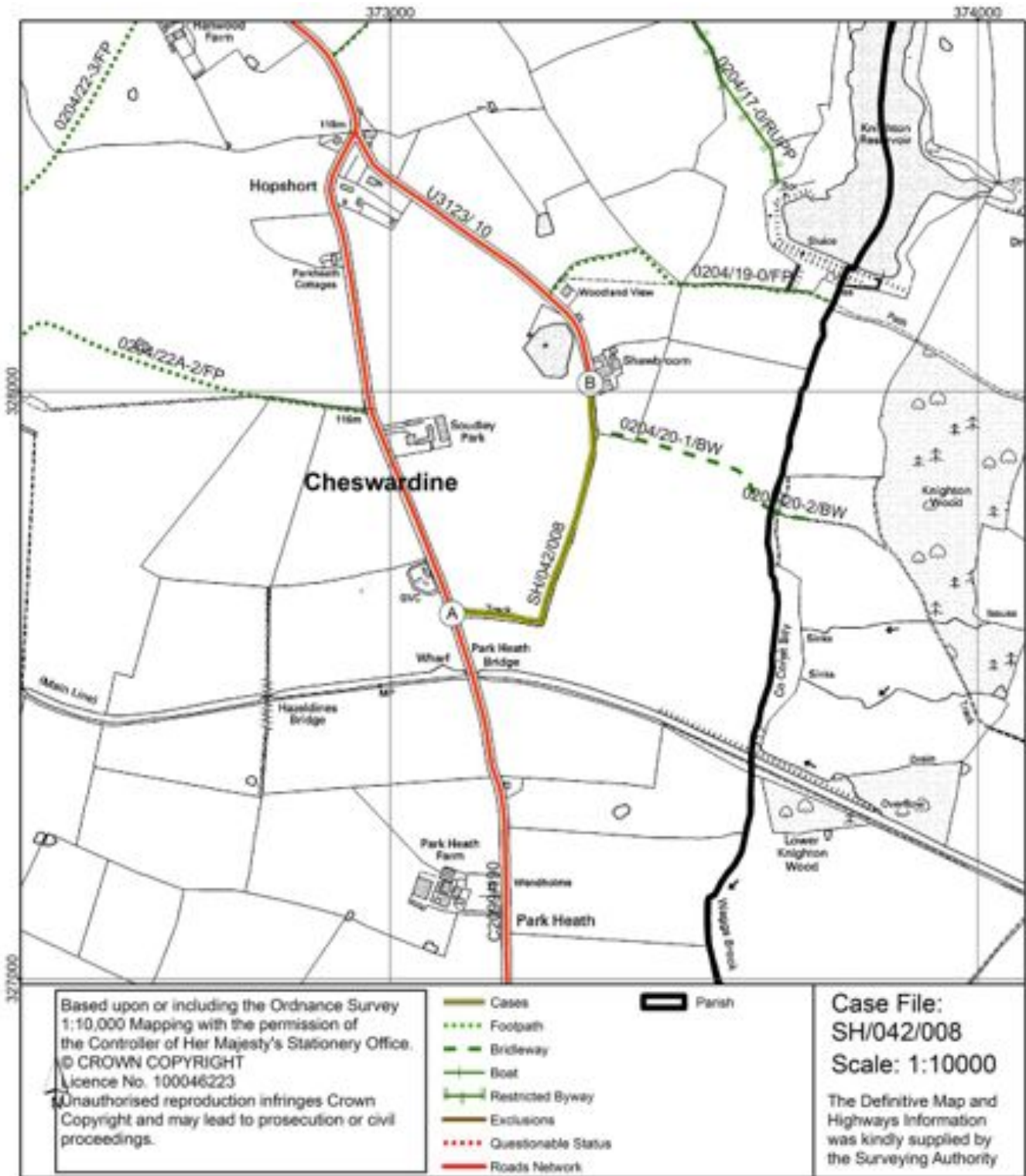
3. Location Plan



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/042/008 are shown in **bold**. This information is arranged in a standard format as follows:

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

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

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

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

1. Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWLS Lord Lieutenant and Custos Rotulorum of the Counties of SALOP AND MONTGOMERY This MAP of SHROPSHIRE is humbly and respectfully dedicated by his LORDSHIPS obliged and obedient Servant ROBERT BAUGH", dated 1808, demonstrates evidence for part of route T000998. The route is observed to commence at the first junction north "Knighton" marked on the map. The route is described in a manner which fails to confer any indication of status, i.e. as "By-road" in the map key and is depicted as consisting of two parallel solid black lines. The route is observed to terminate after a short distance to the south west of "Soudley Park" on the map.



| EXPLANATION | | HUNDREDS | |
|-------------|-----|----------|---------|
| Acres | A | 100 | A |
| Arable | B | 200 | B |
| Grass | C | 300 | CC |
| Wood | D | 400 | D |
| Water | E | 500 | E |
| ... | ... | 600 | FF |
| ... | ... | 700 | G |
| ... | ... | 800 | H |
| ... | ... | 900 | II |
| ... | ... | 1000 | KK |
| ... | ... | 1100 | LL |
| ... | ... | 1200 | MM |
| ... | ... | 1300 | N |
| ... | ... | 1400 | 0000000 |
| ... | ... | 1500 | P |
| ... | ... | 1600 | QQ |

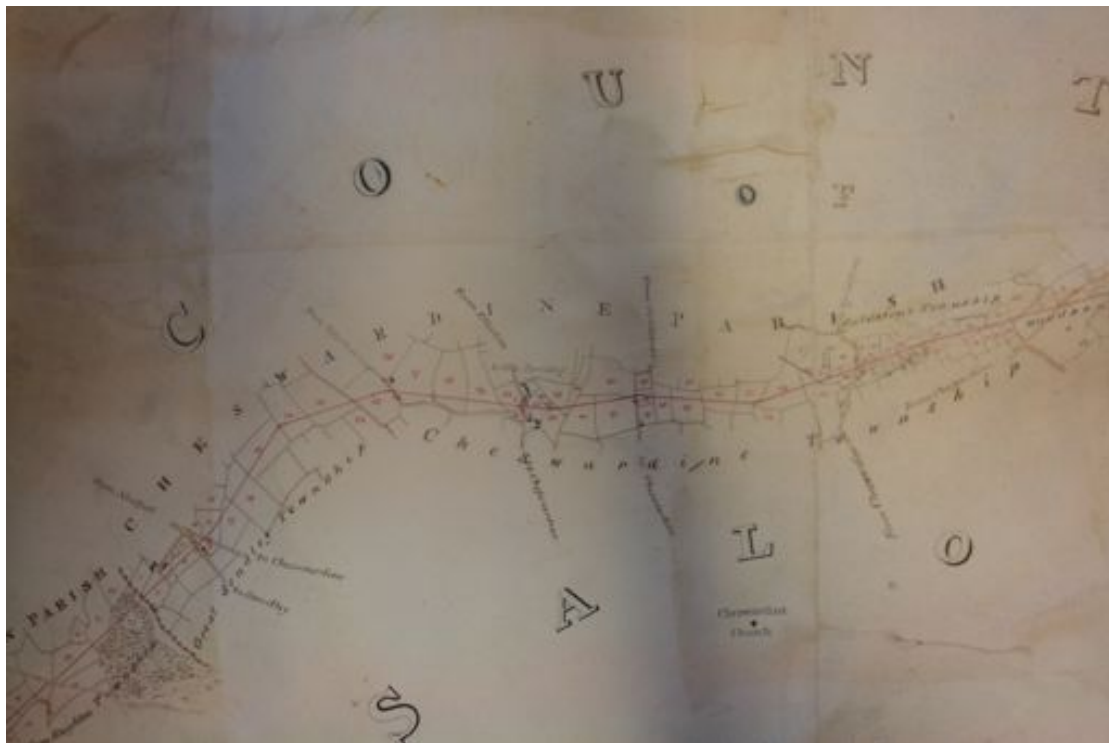
DIOCESE

A B C D

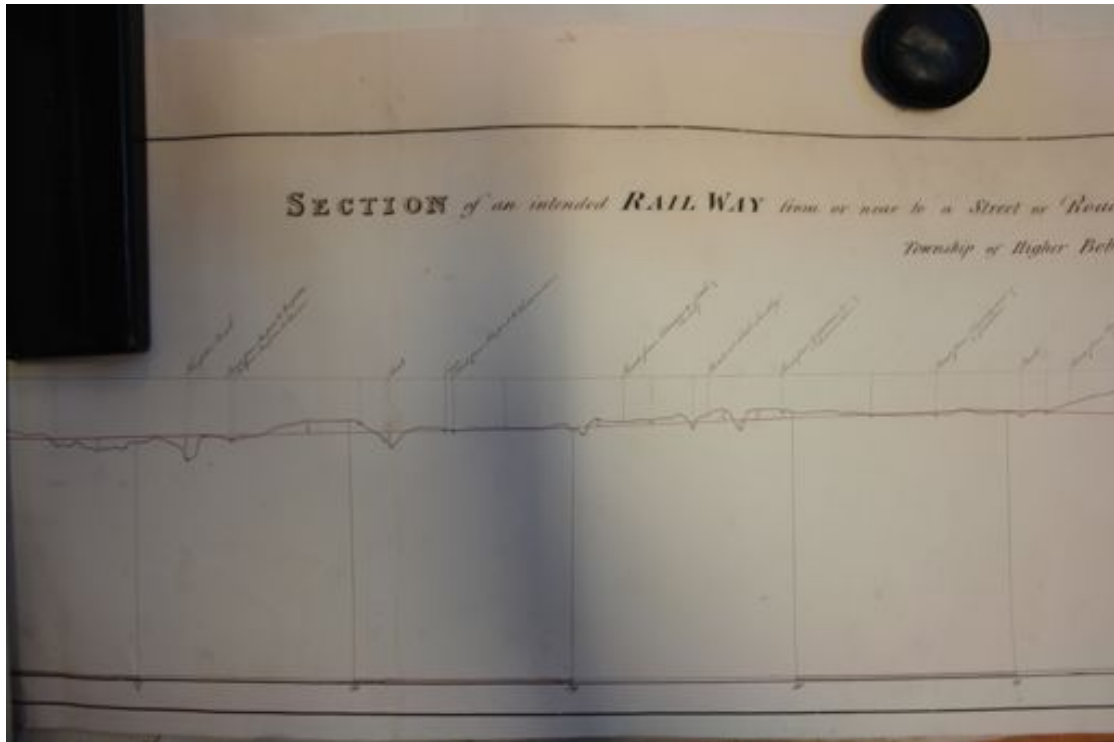
2. Ordnance Survey Surveyors Drawings, SHR 209, dated 1817, demonstrates evidence for part of route T000998. The route is observed to commence to the south east of “Soudley Park” marked on the map. The route is shown on the map and is depicted as consisting of two solid parallel black lines. The route is observed to terminate to the west of “Shawbroom” marked on the map.



3. Railway Plan, SHR DP/303, entitled "MAP or PLAN of an intended RAILWAY from or near to a STREET or ROAD called Islington in the PARISH of SAINT MARTIN in BIRMINGHAM in the County of Warwick to or near to the Royal Rock Ferry on the WESTERN SHORE of the RIVER MERSEY in the Township of HIGHER BEBINGTON...", dated November 29th 1825, demonstrates evidence for part of route T000998. The route is observed to commence at the south east corner of parcel number "11" on the plan. It shows the route specifically numbered on the plan, in this case number "9" and is depicted as consisting of two parallel solid black lines (in-filled). The route is shown as a through route and is labelled on the map as "To Soudley". The route is observed to terminate at the point marked "To Soudley" on the plan where the route continues beyond the extents of the mapped area.

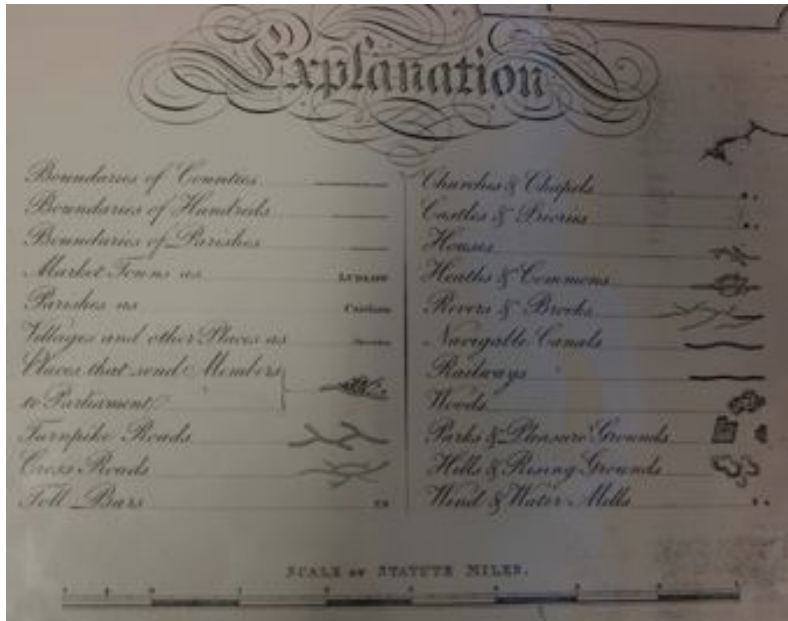


4. Railway Section, SHR DP/303, entitled "SECTION of an intended RAILWAY from or near to a Street or Road called Islington in the Parish of Saint Martin in Birmingham in the County of Warwick to or near to the Royal Rock Ferry on the Western Shore of the River Mersey in the Township..", dated November 29th 1825, demonstrates evidence for part of route T000998. The route is described in a manner which fails to confer any indication of status, i.e. as a "Lane".



5. 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 part of route T000998. The route is observed to commence to the north west of "Park Heath" marked on the map. The route is described under the heading "Cross Roads" in the map key and is depicted as consisting of two parallel solid black lines. The route is observed to terminate to the east of "Soudley Park" marked on the map





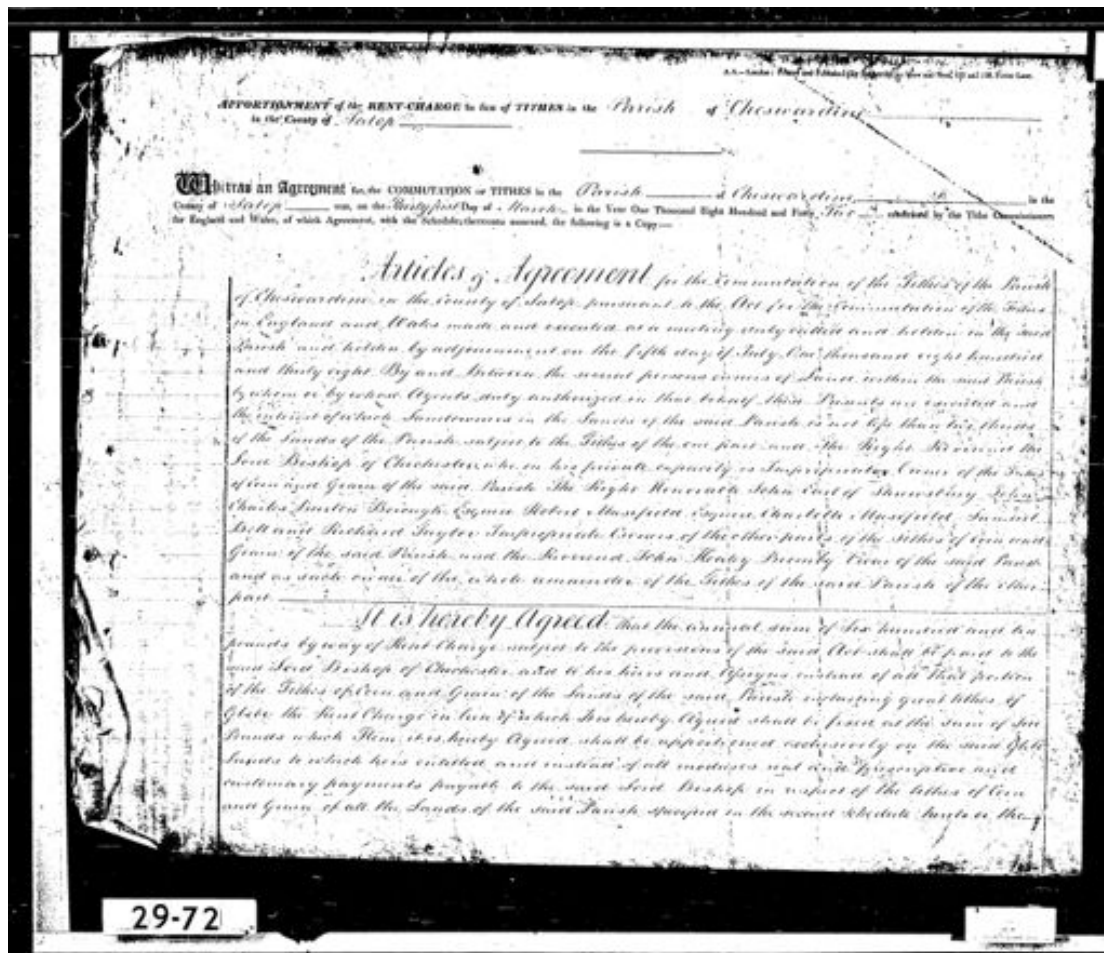
6. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1 mile, entitled "Folder 1 1833-35", dated 1833-35, demonstrates evidence for all of route T000998. The route is observed to commence at a road junction to the north east of "Park Heath" marked on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is observed to terminate just south of "Shawbroom" marked on the map.



7. Tithe Map, TNA IR 30/29/72, entitled "MAP OF THE TOWNSHIP OF GREAT SOUDLEY IN THE PARISH OF CHESWARDINE in five parts: part 3", dated 1840, demonstrates evidence for all of route T000998. The route is observed to commence at the north west corner of parcel number "633" 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 (in-filled). The route is observed to terminate at the north west corner of parcel number "669" on the map.



8. Tithe Apportionment, TNA IR 29/29/72, entitled "APPORTIONMENT of the RENT CHARGE in Lieu of TITHES in the Parish of Cheswardine in the County of Salop", dated 1842, covers the area but demonstrates no evidence for case SH/042/008.



9. Ordnance Survey 25" 1st Edition, BL Vol 690 (4), entitled "Shropshire (Northern Division) Sheet XXIII.4 - Cheswardine & Hinstock Parishes", dated 1880, demonstrates evidence for all of route T000998. The route is observed to commence at the north west corner of parcel number "1113" on the map (shown on 30SJ7327). The route is depicted as consisting of two parallel solid black lines with a single black dashed line along the centre. The route is observed to change physical characteristics at the south east corner of parcel number "1080" on the map. From here the route is depicted as consisting of two parallel solid black lines. The route is observed to change physical characteristics again at the north east corner of parcel "1080". From here the route is shown specifically numbered on the map as "1083" and is depicted as consisting of two parallel solid black lines with a single black dashed line

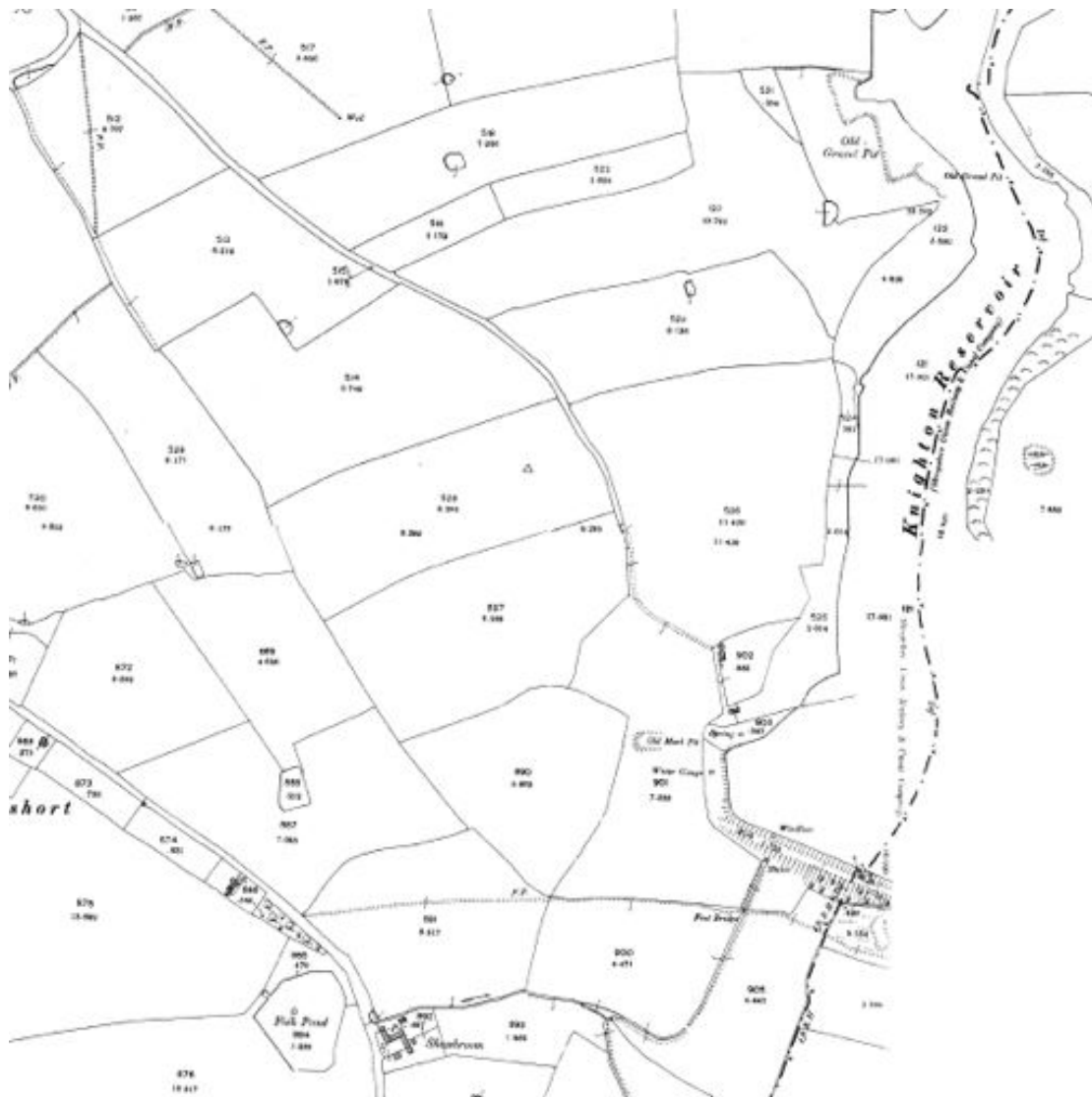
along the centre. The route is observed to terminate at the south west corner of parcel number "1034" on the map (shown on 30SJ7328).



10. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Hinstock, Shropshire (Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/042/008.

11. Ordnance Survey 25" 2nd Edition, BL 1601(36), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXIII.4", dated 1900, demonstrates evidence for all of route T000998. The route is observed to commence at the north west corner of parcel number "918" on the map (shown on 30SJ7327). The route is shown on the map un-named and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the south west corner of parcel number "892" on the map (shown on 30SJ7328).





12. Ordnance Survey 1" New Series, BL Maps 1175 (134.) Sheet 139, entitled "OS of England Stafford", dated 1902, demonstrates evidence for all of route T000998. The route is observed to commence a point south of the "H" of "Hopshort". The route is shown on the map un-named and is described in the key under the heading "3rd Class Metalled Roads". The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate a point south of the "s" of "Hopshort".

13. Finance Act Survey Map, TNA IR 132/4/242, entitled "SHROPSHIRE SHEETS XXIII.4 & XXIV.1, STAFFORDSHIRE SHEETS XXVIII.15 & XXXV.3 (Parts of)", dated 1909/1910, demonstrates evidence for all of route T000998. The route is observed to commence at the north west corner of OS parcel number "918" on the map. The route is shown uncoloured and excluded from hereditaments and

is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the south west corner of OS parcel number “892” 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 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 | 6.1 | NOS10 | Route shown on map fits generic description of non-status specific routes as described in legend |

| | | | | | | |
|--|------------|--|--------------------|-----|-------|--|
| Ordnance Survey Records Surveyors Drawings | C | SHR Map 209 | 1817 | 6.2 | OSD1 | Route shown un-coloured on Ordnance Surveyors Drawing Route shown un-coloured on Ordnance Surveyors Drawing |
| Deposited Railway Records | B(ii) part | SHR Plan DP/303 - MAP or PLAN of an intended RAILWAY from or near to a STREET or ROAD called Islington in the PARISH of SAINT MARTIN in BIRMINGHAM in the County of Warwick to or near to the Royal Rock Ferry on the WESTERN SHORE of the RIVER MERSEY in the Township of | November 29th 1825 | 6.3 | RP1 | Route specifically numbered on plan |
| | | SHR Section DP/303 - SECTION of an intended RAILWAY from or near to a Street or Road called Islington in the Parish of Saint Martin in Birmingham in the County of Warwick to or near to the Royal Rock Ferry on the Western Shore of the River Mersey in the Township. | November 29th 1825 | 6.4 | RP8 | Described as Through Route on plan |
| Non-OS Commercial Mapping | B(ii) part | SHR Map GREENWOODS 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY BY C. & J. GREENWOOD. | 1827 | 6.5 | NOS16 | Route shown on map and described as Cross road in map key |
| Ordnance Survey | C | SHR Map Ordnance | 1833-35 | 6.6 | OSM5 | Route shown on OS 1" Old |

| | | | | | | |
|---|-------|--|-----------|------|-------|--|
| Records 1" Old Series | | Survey Old Series 1" : 1 mile - Folder 1 1833-35 | | | | Series map |
| Tithe Survey Records | C | TNA Map IR/30/29/72 - MAP OF THE TOWNSHIP OF GREAT SOUDLEY IN THE PARISH OF CHESWARDINE in five parts: part 3 | 1840 | 6.7 | TM3 | Route shown on map not numbered specifically or within numbered parcel |
| Ordnance Survey Records 25" 1st Edition | C | BL Map Vol 690 (4) - Shropshire (Northern Division) Sheet XXIII.4 - Cheswardine & Hinstock Parishes | 1880 | 6.9 | OSM23 | Route specifically numbered on plan |
| | | | | | OSM6 | Route Shown on OS 1st Edition 25" Map |
| Ordnance Survey Records 25" 2nd Edition | C | BL Map 1601(36) - SECOND EDITION 1902 SHROPSHIRE SHEET XXIII.4. | 1900 | 6.11 | OSM12 | Route Shown on OS 2nd Edition 25" Map |
| | | | | | OSM9 | Route un-named on map |
| Ordnance Survey Records 1" New Series | B(ii) | BL Maps 1175 (134.) Sheet 139 - OS of England Stafford | 1902 | 6.12 | 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 132/4/242 - SHROPSHIRE SHEETS XXIII.4 & XXIV.1, STAFFORDS HIRE SHEETS XXVIII.15 & XXXV.3 (Parts of) | 1909/1910 | 6.13 | 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 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 Map 209 | 1817 | RC14 | Unspecified |
| Deposited Railway Records | SHR Plan DP/303 - MAP or PLAN of an intended RAILWAY from or near to a STREET or ROAD called Islington in the PARISH of SAINT MARTIN in BIRMINGHAM in the County of Warwick to or near to the Royal Rock Ferry on the WESTERN SHORE of the RIVER MERSEY in the Township of | November 29th 1825 | RC14 | Unspecified |
| | SHR Section DP/303 - SECTION of an intended RAILWAY from or near to a Street or Road called Islington in the Parish of Saint Martin in | November 29th 1825 | RC15 | Lane |

| | | | | |
|---|--|-----------|------|-------------|
| | Birmingham in the County of Warwick to or near to the Royal Rock Ferry on the Western Shore of the River Mersey in the Township. | | | |
| Non-OS Commercial Mapping | SHR Map GREENWOODS 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY BY C. & J. GREENWOOD. | 1827 | RC12 | Road |
| Ordnance Survey Records 1" Old Series | SHR Map Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35 | 1833-35 | RC14 | Unspecified |
| Tithe Survey Records | TNA Map IR/30/29/72 - MAP OF THE TOWNSHIP OF GREAT SOUDLEY IN THE PARISH OF CHESWARDINE in five parts: part 3 | 1840 | RC14 | Unspecified |
| Ordnance Survey Records 25" 1st Edition | BL Map Vol 690 (4) - Shropshire (Northern Division) Sheet XXIII.4 - Cheswardine & Hinstock Parishes | 1880 | RC14 | Unspecified |
| Ordnance Survey Records 25" 2nd Edition | BL Map 1601(36) - SECOND EDITION 1902 SHROPSHIRE SHEET XXIII.4. | 1900 | RC14 | Unspecified |
| Ordnance Survey Records 1" New Series | BL Maps 1175 (134.) Sheet 139 - OS of England Stafford | 1902 | RC12 | Road |
| Finance Act Survey Records | TNA Map IR 132/4/242 - SHROPSHIRE SHEETS XXIII.4 & XXIV.1, STAFFORDSHIRE SHEETS XXVIII.15 & XXXV.3 (Parts of) | 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 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 | PA1 | two parallel solid black lines |
| Ordnance Survey Records Surveyors Drawings | SHR Map 209 | 1817 | PA1 | two parallel solid black lines |
| Deposited Railway Records | SHR Plan DP/303 - MAP or PLAN of an intended RAILWAY from or near to a STREET or ROAD called Islington in the PARISH of SAINT MARTIN in BIRMINGHAM in the County of Warwick to or near to the | November 29th 1825 | PA3 | two parallel solid black lines (in-filled) |

| | | | | |
|---|---|-----------|-----|---|
| | Royal Rock Ferry on the WESTERN SHORE of the RIVER MERSEY in the Township of | | | |
| Non-OS Commercial Mapping | SHR Map GREENWOODS 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 Map Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35 | 1833-35 | PA1 | two parallel solid black lines |
| Tithe Survey Records | TNA Map IR/30/29/72 - MAP OF THE TOWNSHIP OF GREAT SOUDLEY IN THE PARISH OF CHESWARDINE in five parts: part 3 | 1840 | PA3 | two parallel solid black lines (in-filled) |
| Ordnance Survey Records 25" 1st Edition | BL Map Vol 690 (4) - Shropshire (Northern Division) Sheet XXIII.4 - Cheswardine & Hinstock Parishes | 1880 | PA1 | two parallel solid black lines |
| | | | PA9 | two parallel solid black lines with a single black dashed line along the centre |
| Ordnance Survey Records 25" 2nd Edition | BL Map 1601(36) - SECOND EDITION 1902 SHROPSHIRE SHEET XXIII.4. | 1900 | PA1 | two parallel solid black lines |
| Ordnance Survey Records 1" New Series | BL Maps 1175 (134.) Sheet 139 - OS of England Stafford | 1902 | PA1 | two parallel solid black lines |
| Finance Act Survey Records | TNA Map IR 132/4/242 - SHROPSHIRE SHEETS XXIII.4 & XXIV.1, STAFFORDSHIRE SHEETS XXVIII.15 & XXXV.3 (Parts of) | 1909/1910 | PA1 | two parallel solid black lines |

Evidence of width:

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

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

8. Overall Evaluation of Evidence

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

Findings from the main documentary sources:

1. Tithe Survey Records

The Tithe Survey map demonstrates evidence for the route. The route is shown un-numbered and not within a numbered parcel therefore there is no evidence for the route in the corresponding apportionment.

2. Finance Act Survey Records

The Finance Act Survey map demonstrates evidence for the route. The route is shown uncoloured and excluded from hereditaments. This suggests that the route was considered to be a public highway at the time of the Finance Act survey, but does not in itself provide evidence about the class of rights that existed over it.

3. Deposited Railway Records

The Deposited Railway records demonstrate evidence for part of the route. The route is shown specifically numbered on the plan and is also shown as a through route. This is considered to provide evidence of the inference of public rights over the route. In addition, the Deposited Railway section describes the route in a manner which fails to confer any indication of status, i.e. as a "Lane".

4. Non-Ordnance Survey Commercial Mapping

One Non-Ordnance Survey Commercial map (Greenwood's) demonstrates evidence for part of the route. The route is shown on the map and 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, but is not taken in itself to provide evidence of the class of these rights above that of a bridleway. A further Non-Ordnance Survey Commercial map (Baugh's) demonstrates evidence for part of the route. The route is described in a manner which fails to confer any indication of status, i.e. as "By-road" in the map.

5. Ordnance Survey Records

a. Ordnance Survey 1" Old Series

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

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 specifically numbered but there is no evidence for the route in the associated book of reference.

c. Ordnance Survey 25" 2nd Edition

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

d. Ordnance Survey 1" New Series

The Ordnance Survey 1" New Series map demonstrates evidence for the route. The route is shown on the map 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.

Alignment of the case file route:

From the analysis of the early Non-Ordnance Survey Commercial maps and the Ordnance Survey Surveyor's Drawings against documents post-Ordnance Survey 1" Old Series it would appear that part of the length of the route was created as a consequence of the construction of the Shropshire Union canal. However, based on the analysis of documents post-Ordnance Survey 1" Old Series the alignment of the case file route has not changed when compared to modern Ordnance Survey maps.

Evidence of Width:

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

Contradictory evidence:

No contradictory evidence was found for the route.

Outcome of the evaluation:

Case SH/042/008 was included in the research scope by Shropshire County Council as the route is present on 1929 Handover Map but is not currently recorded on Shropshire County Council roads network / 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. Part of the length of the case file route is shown as a through-route on a Deposited Railway plan and is further described as a “Lane” in the accompanying section.

Two Non-Ordnance Survey Commercial maps demonstrate evidence for the route. 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 Ordnance Survey Records also support the existence of the route as a physical feature.

The Ordnance Survey 1” Revised New Series map demonstrates evidence for the route. The route is shown on the map and is described in the key 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” 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.

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 3.4: 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 4.0: Combining & Evaluating Evidence |

Appendix B - Acknowledgements

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