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## APPLICATION FORM

### FOR A MODIFICATION TO THE DEFINITIVE MAP AND STATEMENT WILDLIFE AND COUNTRYSIDE ACT 1981

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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 SJ4942 2525) to Point E (OSGR SJ4950 2385) 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/130/009BHS 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
- Inclosure Award, SHR QE 1/2/34, dated 1813
- 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
- Railway Plan, SHR DP/316, entitled "Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester &c.", dated 1844
- Ordnance Survey 25" 1st Edition, BL Vol 689 (33), entitled "Shropshire (Northern Division) Sheet XXI.10 - Middle & Broughton & Hadnall Parish (Det)", dated 1880
- Ordnance Survey 25" 1st Edition, BL Vol 689 (37), entitled "Shropshire (Northern Division) Sheet XXI.14 - Middle and Broughton Parishes & Hadnall Parish (Det)", dated 1880
- Ordnance Survey 25" 2nd Edition, BL 1601 (10), entitled "SECOND EDITION 1901 SHROPSHIRE SHEET XXI.10", dated 1900
- Ordnance Survey 25" 2nd Edition, BL 1601(14), entitled "SECOND EDITION 1901 SHROPSHIRE SHEET XXI. 14", dated 1900
- Finance Act Survey Map, TNA IR 132/4/216, entitled "Shropshire Sheet XXI.10 - Second Edition 1901", dated, 1910
- Finance Act Survey Map, TNA IR 132/4/220, entitled "Shropshire Sheet XXI.14 - Second Edition 1901", dated 1910

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

Signed:



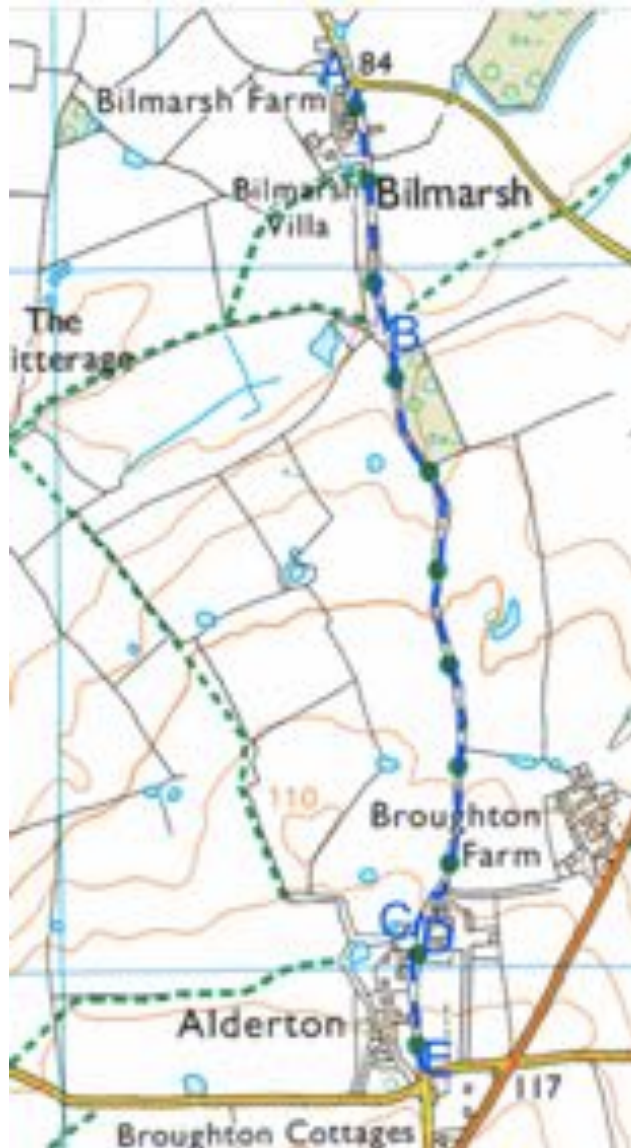
Date: 03/09/2020

Wildlife and Countryside Act 1981

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

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

*Applicant's Reference: DLW SH/130.009*



*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**

<b>Case File Ref. No.</b>	SH/130/009
<b>Name</b>	Un-named
<b>Historic County</b>	Shropshire
<b>Sub-Unit</b>	Shropshire Sub-unit 1
<b>Parish(es)</b>	Myddle and Broughton
<b>Surveying Authority</b>	Shropshire County Council
<b>Definitive Map Ref. No.</b>	None
<b>Other Designation(s) Ref. No.</b>	List of streets (U1616/10, U1947/10 and U1619/10)
<b>Route Length</b>	1458 metres
<b>OS 1:10,000 Sheet(s)</b>	SJ42NE, SJ42SE
<b>Grid Ref (start)</b>	SJ4942 2525
<b>Grid Ref (end)</b>	SJ4950 2385
<b>ARU ASSESSMENT OUTCOME</b>	
<b>Status/Class</b>	Public carriageway
<b>Strength</b>	Strong
<b>Comment</b>	Shown excluded from the hereditaments on the Finance Act map

Date:

**02 May 2008**

LandAspects  
Rowan House  
Lloyd Drive  
Ellesmere Port  
Cheshire CH65 9HQ

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## 1. Summary of Findings

Case file SH/130/009 was included in the research scope by the Discovering of Lost Ways Project during the course of research due to the discovery of evidence suggesting the existence of a public right of way and it is shown on the Ordnance Survey (OS) Explorer Mapping as an Other Route with Public Access (ORPA).

From the documents examined it is possible to establish that the case file route is shown on the Finance Act Survey maps uncoloured and excluded from hereditaments. This suggests that the route was considered to be a public highway at the time of the Finance Act Survey, but does not in itself provide evidence about the class of rights that existed over it. One of the Non-Ordnance Survey Commercial maps shows the route 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" 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 and 3rd class metalled roads on OS 1" New Series maps will be taken as evidence 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 is also shown on the other supporting Ordnance Survey maps but these provide no evidence of status or class.

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 therefore has been categorised as "Strong", supporting the making of a definitive map modification order application to add the route to the definitive map.

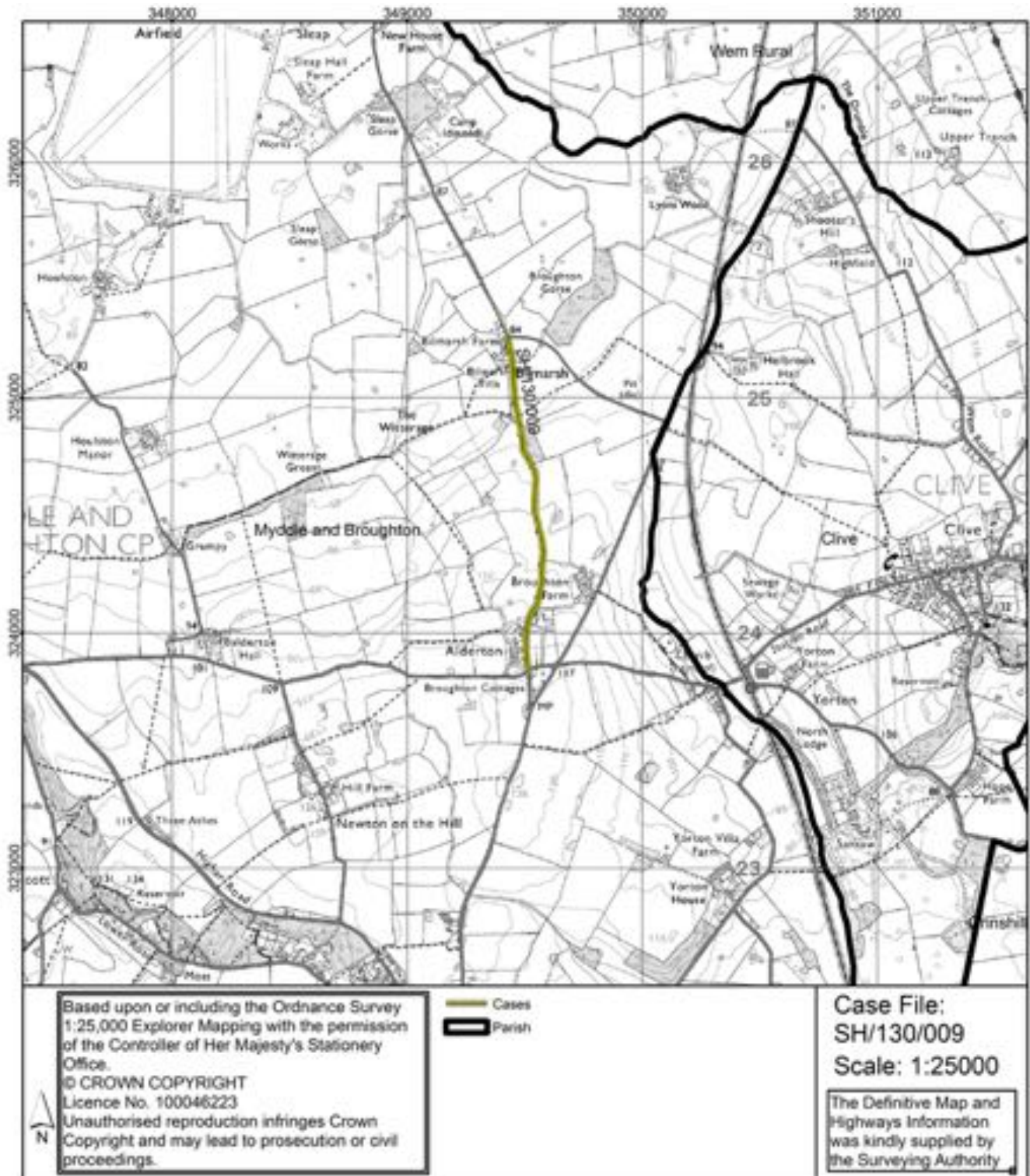
## 2. Description of Route

The route begins on U1616/10 (the reference given on Shropshire County Council's List of Streets) at the junction with U1614/10 & U1615/10 (the references given on Shropshire County Council's List of Streets) at coordinate SJ4942 2525 (point A on the Case File Route Map). The route then heads along U1616/10 in a southerly direction to coordinate SJ4947 2490 (point B on the Case File Route Map). The route then heads along U1947/10 (the reference given on Shropshire County Council's List of Streets) in a southerly direction to coordinate SJ4952 2406 (point C on the Case File Route Map). The route then heads in a southerly direction to the junction with U1619/10 (the reference given on Shropshire County Council's List of Streets) at coordinate SJ4952 2405 (point D on the Case File Route Map). The route then heads along U1619/10 (the reference given on Shropshire County Council's List of Streets) in a southerly direction to the junction with C2075/10 (the reference given on Shropshire County Council's List of Streets) at coordinate SJ4950 2385, where this route terminates (point E on the Case File Route Map). The entire length of the route is recorded on Shropshire County Council's List of Streets.

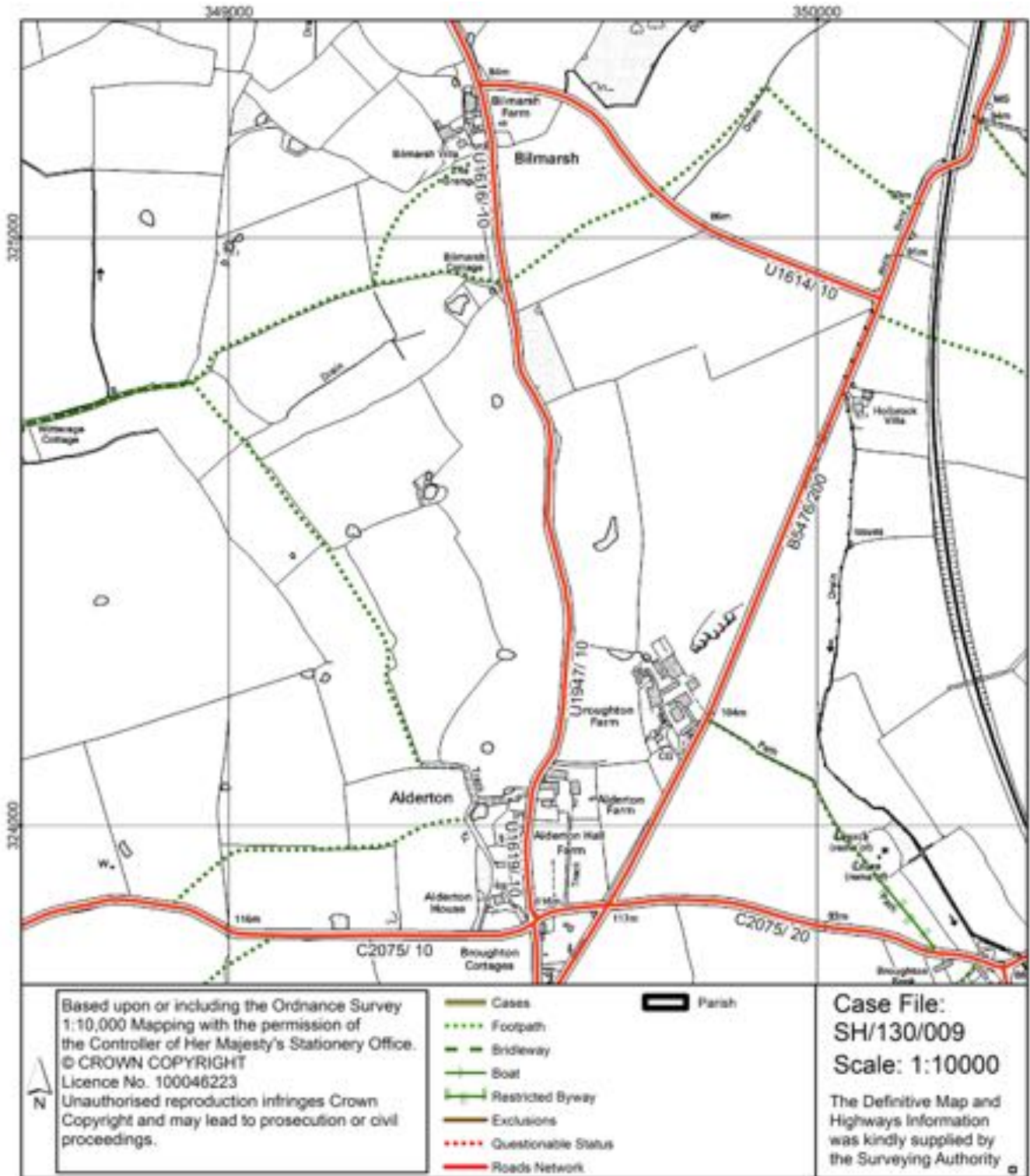
The route has a length of 1458 metres.

During the research process, the whole of the case file reference number SH/130/009 was identified with the case route numbers T000675 (point A to B), T000676 (point B to D) and T000677 (point D to E). All four 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

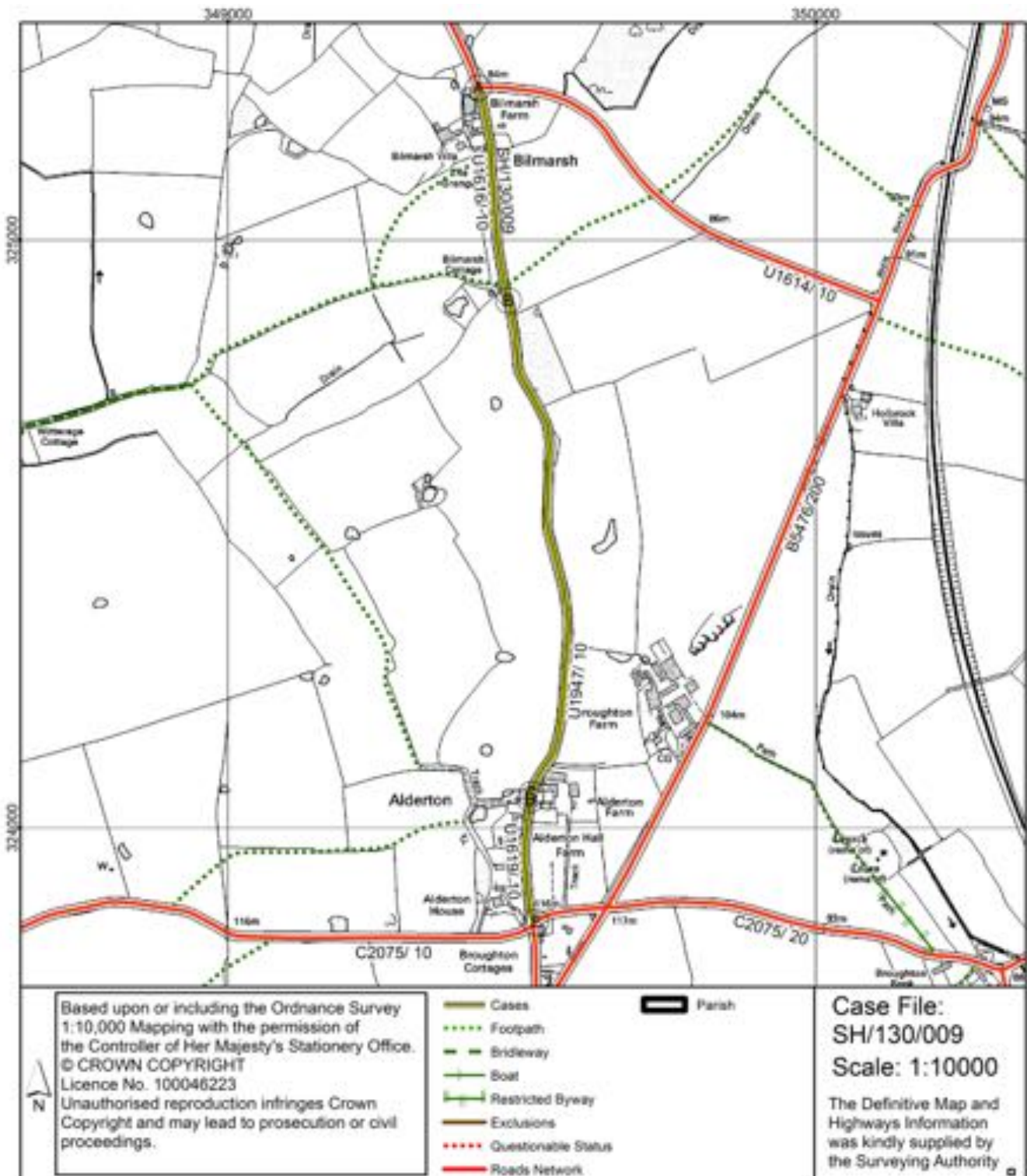


#### 4. Current Definitive Paths





## 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/130/009 are shown in **bold**. This information is arranged in a standard format as follows:

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

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

The Ordnance Survey 25" 1<sup>st</sup> and 2<sup>nd</sup> 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

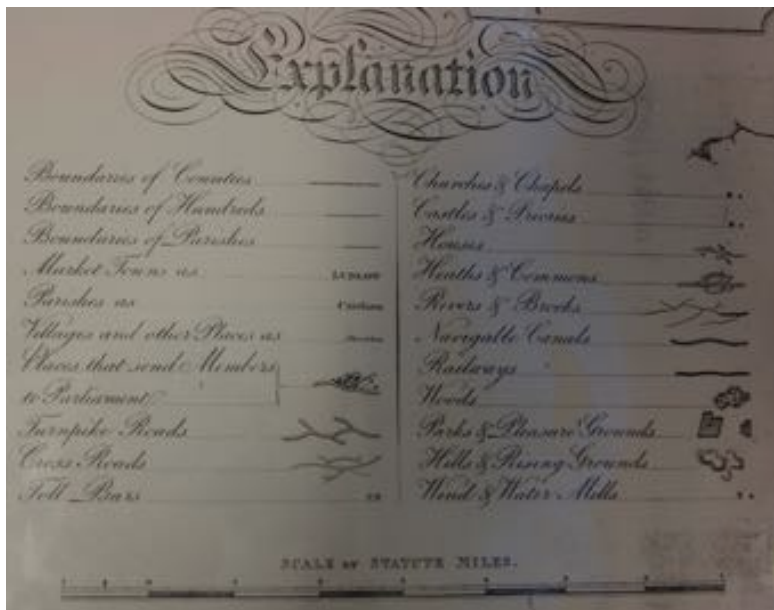
provided by Landmark. The image tiles can therefore only be used as a guide as to what the original document held at the British Library depicted. If the reader of the case files wishes to qualify any statements that have been in the file then they should consult versions held at the British Library.

**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 T000675, T000676 and T000677. The route is observed to commence at the junction with another route north of the letter "S" of the label "Sleap" on the map. The route is described in a manner which fails to confer any indication of status, i.e. as "By-roads" in the map key and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at to the east of the letter "n" of the label "Broughton" 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 T000675, T000676 and T000677. The route is observed to commence north of "Bilmarsh" on the map. The route is shown on map and 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 at a junction with another route to the north west of the letter "B" of "Broughton" on the map.



3. Ordnance Survey Surveyors Drawings, SHR 320 (E), entitled "PART of SHROPSHIRE", dated 1827, demonstrates evidence for all of route T000675, T000676 and T000677. The route is observed to commence northwest of "Broughton" on the map. 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 the junction with another route south of the commencement point.



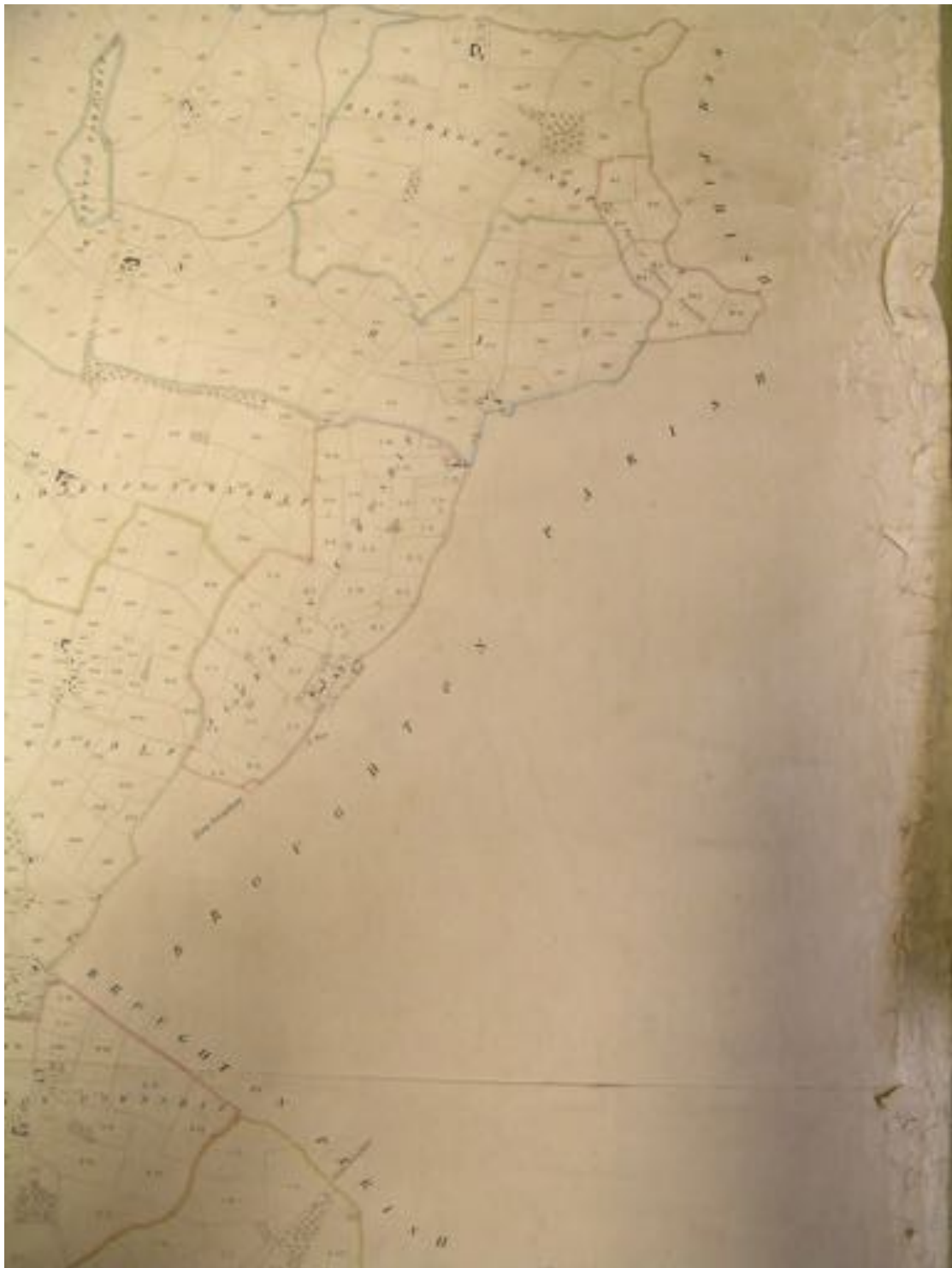
4. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1mile, entitled "Folder 1 1833 - 1835", dated 1833 - 1835, demonstrates evidence for all of route T000675, T000676 and T000677. The route is observed to commence to the north west of the letter "B" of the label "Bilmarsh" on the map. 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 west of "Broughton" 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/130/009.

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 T000675, T000676 and T000677. The route is observed to commence at the south west corner of parcel "168" 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 black lines (solid and dashed). The route is observed to terminate at the north east corner of parcel "A4" on the map.

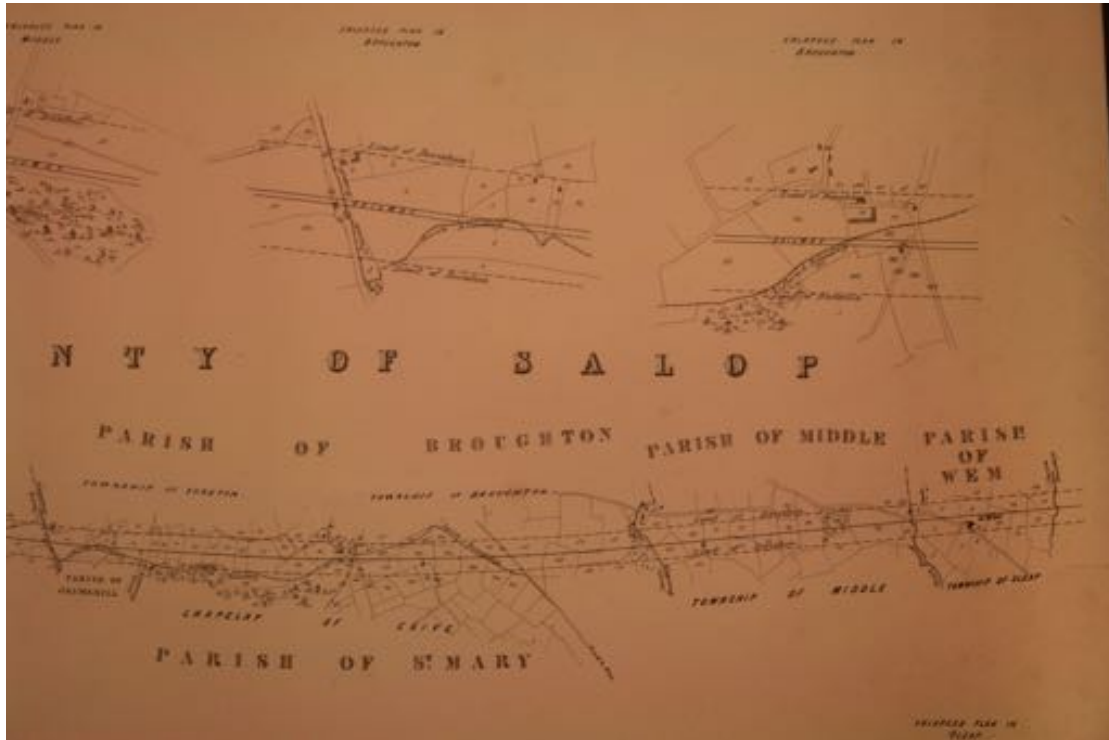


7. Railway Plan, SHR DP/316, entitled "Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester &c", dated 1844, demonstrates evidence for all of route T000675. The route is observed to commence at the south west corner of parcel "64" on the plan. The route is



shown on the plan specifically numbered as “69” and is depicted as consisting of two parallel solid black lines. The route is shown on the plan outside the Limits of Deviation. The route is observed to terminate at the south west corner of parcel "50" on the plan.

***N.B. there is no book of reference for DP/316.***

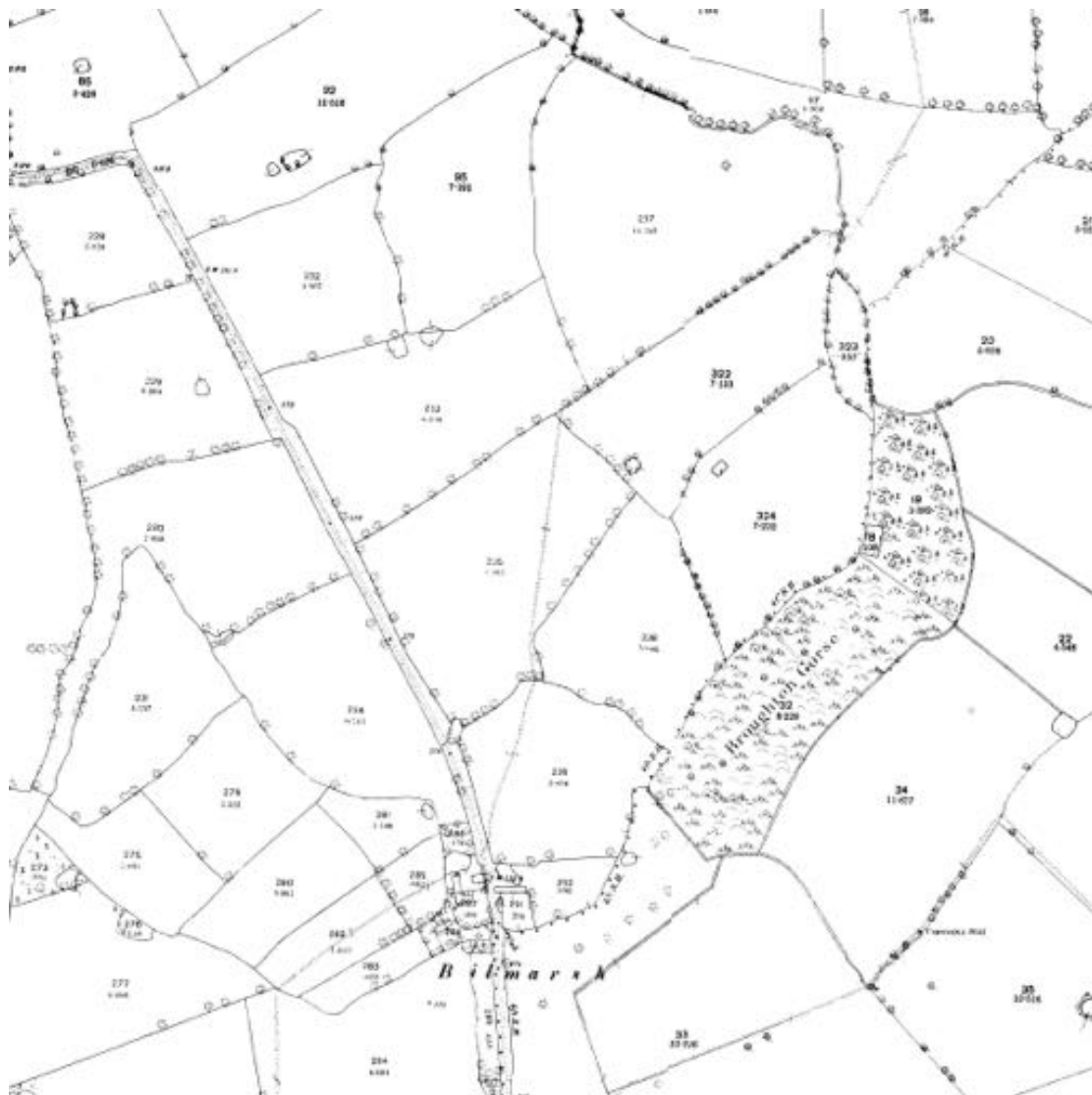


8. Railway Section, SHR DP/316, entitled "Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester &c.", dated 1844, covers the area but demonstrates no evidence for case SH/130/009.

9. Ordnance Survey 25" 1st Edition, BL Vol 689 (33), entitled "Shropshire (Northern Division) Sheet XXI.10 - Middle & Broughton & Hadnall Parish( Det)", dated 1880, demonstrates evidence for all of route T000675 and part of T000676. The first route is observed to commence at the south east corner of parcel "234" on the map (shown on 30SJ4925). The route is shown on the map un-numbered and is depicted as consisting of two parallel solid black lines with two dashed black lines along the centre. The route is observed to change physical characteristics midway along the eastern boundary of parcel "13" on the map. From here the route is depicted as consisting two parallel solid black lines. The route is observed to change physical characteristics at the south west corner of parcel "39" on the map. From here the route is depicted as

consisting two parallel solid black lines with a single black dashed line through the middle. The route is observed to change physical characteristics midway along the eastern edge of parcel "18" on the map. From here the route is depicted as consisting two parallel solid black lines with two parallel dashed black lines through the middle. The route is observed to change physical characteristics at the north west corner of parcel "69" on the map. From here the route is depicted as consisting two parallel solid black lines. The route is observed to terminate midway along the western boundary of parcel "69" on the map where it continues onto map sheet XXI.14 (shown on 30SJ4924).





10. Ordnance Survey 25" 1st Edition, BL Vol 689 (37), entitled "Shropshire (Northern Division) Sheet XXI.14 - Middle and Broughton Parishes & Hadnall Parish (Det)", dated 1880, demonstrates evidence for all of T000677 and part of route T000676. The route is observed to commence midway along the western boundary of parcel "69" on the map where it continues on from map sheet XXI.10 (shown on 30SJ4924). The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is observed to change physical characteristics at the east corner of parcel "36" on the map. From here the route 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 south west corner of parcel "43" on the map (shown on 30SJ4923).





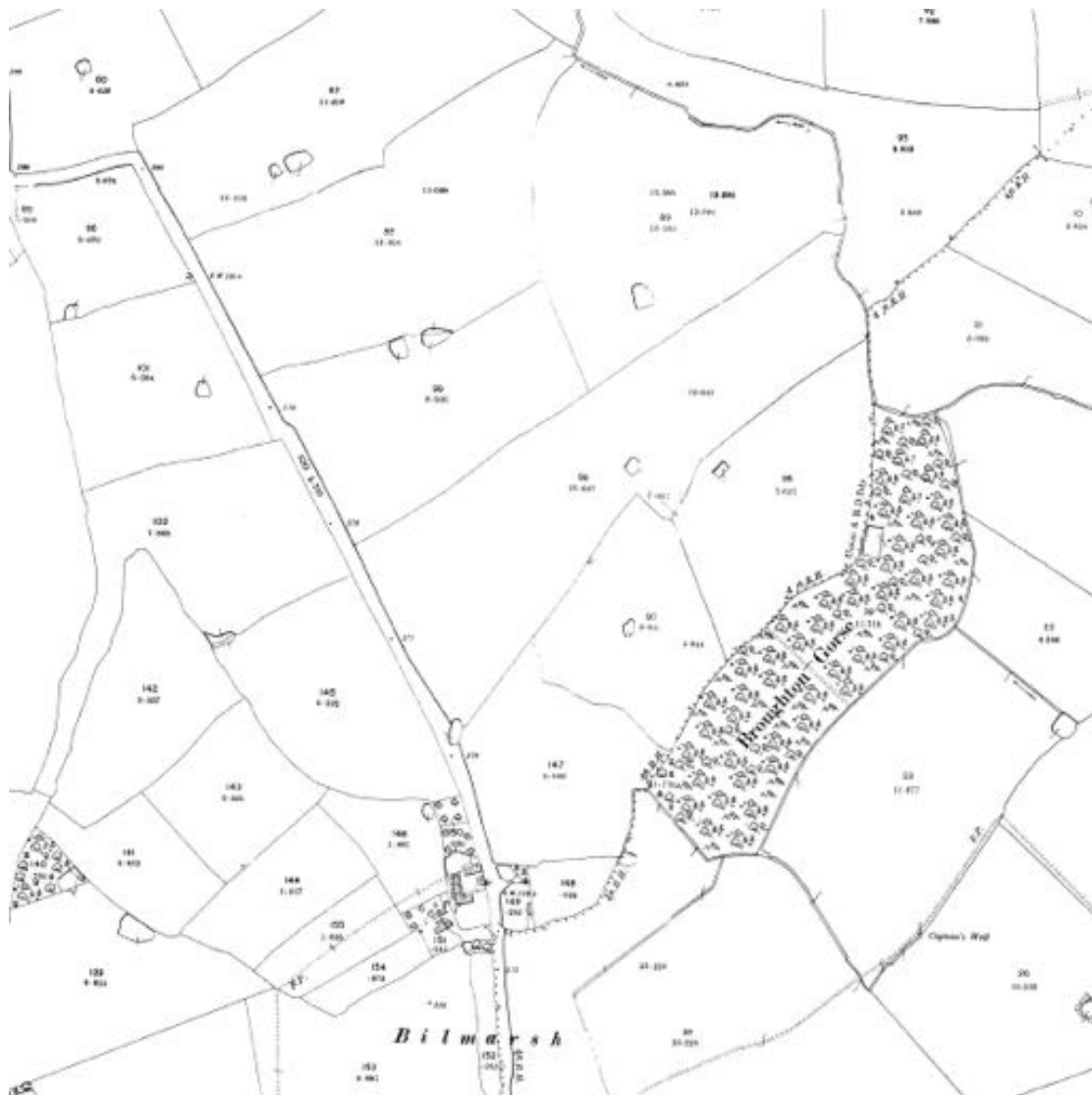
11. Ordnance Survey 25" 1st Edition, BL None, entitled "Book of Reference to the Plan of the Parish of Middle, Shropshire-(Northern Division) ", dated 1881, covers the area but demonstrates no evidence for case SH/130/009.

12. Ordnance Survey 25" 1st Edition Book of Reference, BL None, entitled "Book of Reference to the Plan of the Parish of Broughton, Shropshire (Northern Division) ", dated 1881, covers the area but demonstrates no evidence for case SH/130/009.

**13. Ordnance Survey 25" 2nd Edition, BL 1601 (10), entitled "SECOND EDITION 1901 SHROPSHIRE SHEET XXI.10", dated 1900, demonstrates evidence for all of route T000675 and part of route T000676. The route is observed to commence at the north east corner of parcel "150" on the map (shown 30SJ4925). 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 change**

physical characteristics at the south west corner of parcel “40” on the map. From here the route is depicted as consisting of two parallel solid black lines with a dashed black line running down the centre. The route is observed to change physical characteristics towards the north east corner of parcel “15” on the map. From here the route is depicted as consisting of two parallel black lines, dashed and solid. The route is again observed to change in physical characteristics at to the north east boundary of parcel “15” and from here is depicted as consisting of two parallel solid black lines, The route is observed to terminate midway along the western boundary of parcel "35" on the map where it continues onto map sheet XXI.14 (shown on 30SJ4924).





14. Ordnance Survey 25" 2nd Edition, BL 1601(14), entitled "SECOND EDITION 1901 SHROPSHIRE SHEET XXI. 14", dated 1900, demonstrates evidence for part of route T000676 and all of route T000677. The route is observed to commence midway along the western boundary of parcel "35" on the map where it continues on from map sheet XXI.10 (shown on 30SJ4924). 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 change physical characteristics towards the south west corner of parcel "35" on the map. From here the route is depicted as consisting of two parallel solid black lines with two parallel dashed black lines through the middle. The route is observed to change physical characteristics at the south east corner of parcel "39" on the map. From here the route is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the south west corner of parcel "40" on the map (shown on 30SJ4923).



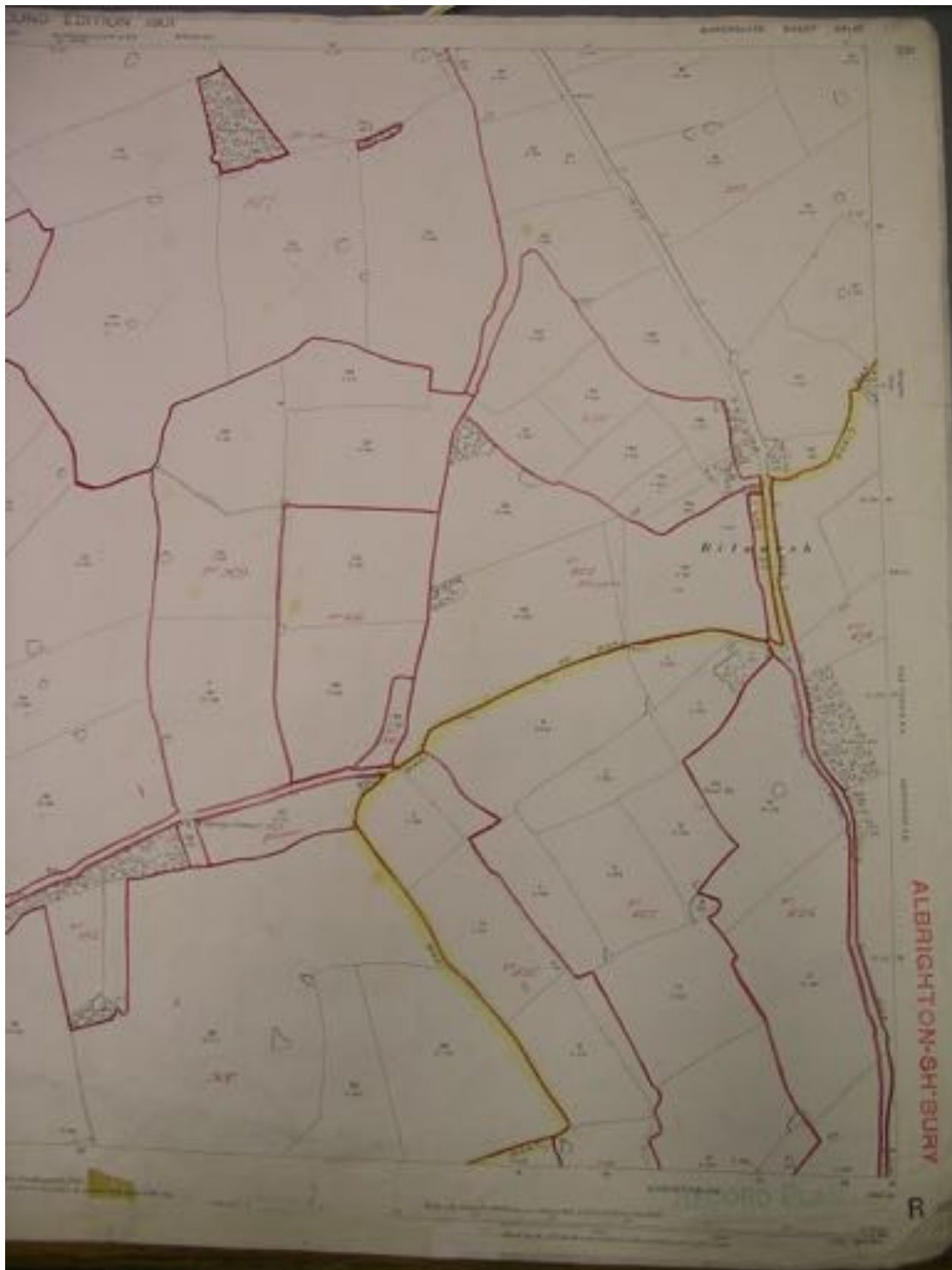




15. Ordnance Survey 1" New Series, BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM", dated 1902, demonstrates evidence for all of route T000675, T000676 and T000677. The route is observed to commence at "Bilmarsh Fm" on the map. The route is shown on the map and is described in the key under the heading "3rd class metalled road" and is depicted as consisting of two parallel solid black lines. The route is observed to terminate south east of the "n" of "Alderton" on the map.

16. Finance Act Survey Map, TNA IR 132/4/216, entitled "Shropshire Sheet XXI.10 - Second Edition 1901", dated, 1910, demonstrates evidence for all of route T000675 and part of T000676. The route is observed to commence at the south west corner of OS parcel "147" on the map. The route is shown

uncoloured and excluded from hereditaments. The route is observed to terminate at the south east corner of hereditament "PT 425" on the map where it continues onto map sheet XXI.14.



17. Finance Act Survey Map, TNA IR 132/4/220, entitled "Shropshire Sheet XXI.14 - Second Edition 1901", dated 1910, demonstrates evidence for part of route T000676 and all of route T000677. The route is observed to commence

north west corner of OS parcel "35" on the map where it continues on from map sheet XXI.10. The route is shown uncoloured and excluded from hereditaments. The route is observed to terminate at the south west corner of OS parcel "40" on the map.



18. Finance Act Survey Field Book, TNA IR 58/75645, entitled "Baschurch Assessment No. 501-600", dated 1910, covers the area but demonstrates no evidence for case SH/130/009.

## 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
<b>A</b>	Express Dedication	Supporting evidence
<b>B(i)</b>	Surveyor's Opinion / Strong Reputation	
<b>B(ii)</b>	Inferred Dedication / Reputation	
<b>C</b>	Neutral	Status neutral
<b>D</b>	Private	Contradictory evidence
<b>E</b>	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
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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 Commercial Mapping	B(ii)	SHR Map 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....	1827	6.2	NOS16	Shown on 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
Deposited Railway Records	C	SHR Plan DP/316 - Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester & c.	1844	6.7	RP1	Route specifically numbered on plan
					RP5	Route outside LOD
Ordnance Survey Records 25" 1st Edition	C	BL Vol 689 (33) - Shropshire (Northern Division) Sheet XXI.10 - Middle & Broughton & Hadnall Parish( Det)	1880	6.9	OSM6	Route Shown on OS 1st Edition 25" Map
Ordnance Survey Records 25" 1st Edition	C	BL Vol 689 (37) - Shropshire (Northern Division) Sheet XXI.14 - Middle and Broughton Parishes & Hadnall Parish( Det)	1880	6.10	OSM23	Route specifically numbered on plan
					OSM6	Route Shown on OS 1st Edition 25" Map
Ordnance Survey Records 25" 2nd Edition	C	BL 1601 (10) - SECOND EDITION 1901 SHROPSHIRE SHEET XXI.10.	1900	6.13	OSM12	Route Shown on OS 2nd Edition 25" Map
					OSM9	Route un-named on map
					OSM12	Route Shown on OS 2nd Edition 25" Map
					OSM9	Route un-named on map
Ordnance Survey Records 25"	C	BL 1601(14) - SECOND EDITION	1900	6.14	OSM12	Route Shown on OS 2nd Edition 25"

2nd Edition		1901 SHROPSHIRE SHEET XXI. 14.				Map
					OSM9	Route un-named on map
					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	6.15	OSM26	Route described as '3rd class metalled road' on key or Characteristics Sheet
					OSM27	Route described as 'Unmetalled Roads' on key or Characteristics Sheet
Finance Act Survey Records	B(i)	TNA Map IR 132/4/216 - Shropshire Sheet XXI.10 - Second Edition 1901	1901	6.16	FA1	Route excluded from Hdtmt
Finance Act Survey Records	B(i)	TNA Map IR 132/4/220 - Shropshire Sheet XXI.14 - Second Edition 1901	1910	6.17	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 Custos Rotulorum of	1808	RC12	Road
			RC11	Occupation road

	<p>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 &amp; 1827 BY C. &amp; J. GREENWOOD,</p> <p>Most Respectfully Dedicated To The NOBILITY, CLERGY &amp; GENTRY OF Shropshire, By THE PROPRIETORS GREENWOOD, PRINGLE &amp; Co. Regent Street. Pall Mall....</p>	1827	RC12	Road
Ordnance Survey Records Surveyors Drawings	SHR 320 (E) - PART of SHROPSHIRE	1827	RC14	Unspecified
Ordnance Survey Records 1" Old Series	SHR Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	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



Deposited Railway Records	SHR Plan DP/316 - Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester & c.	1844	RC14	Unspecified
Ordnance Survey Records 25" 1st Edition	BL Vol 689 (33) - Shropshire (Northern Division) Sheet XXI.10 - Middle & Broughton & Hadnall Parish (Det)	1880	RC14	Unspecified
Ordnance Survey Records 25" 1st Edition	BL Vol 689 (37) - Shropshire (Northern Division) Sheet XXI.14 - Middle and Broughton Parishes & Hadnall Parish (Det)	1880	RC14	Unspecified
Ordnance Survey Records 25" 2nd Edition	BL 1601 (10) - SECOND EDITION 1901 SHROPSHIRE SHEET XXI.10.	1900	RC14	Unspecified
			RC14	Unspecified
Ordnance Survey Records 25" 2nd Edition	BL 1601(14) - SECOND EDITION 1901 SHROPSHIRE SHEET XXI. 14.	1900	RC14	Unspecified
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 132/4/216 - Shropshire Sheet XXI.10 - Second Edition 1901	1901	RC14	Unspecified
	TNA Field Book IR/58/75645 - Baschurch Assessment No. 501-600	1910	RC8	Foot path

Finance Act Survey Records	TNA Map IR 132/4/220 - Shropshire Sheet XXI.14 - Second Edition 1901	1910	RC14	Unspecified
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### 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	PA1	two parallel solid black lines

	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....			
Ordnance Survey Records Surveyors Drawings	SHR 320 (E) - PART of SHROPSHIRE	1827	PA1	two parallel solid black lines
Ordnance Survey Records 1" Old Series	SHR Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	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	PA7	two parallel black lines (solid and dashed)
			PA1	two parallel solid black lines
Deposited Railway Records	SHR Plan DP/316 - Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester & c.	1844	PA1	two parallel solid black lines
Ordnance Survey Records 25" 1st Edition	BL Vol 689 (33) - Shropshire (Northern Division) Sheet XXI.10 - Middle & Broughton & Hadnall Parish (Det)	1880	PA14	two parallel solid black lines with two dashed black lines along the centre
Ordnance Survey Records 25" 1st Edition	BL Vol 689 (37) - Shropshire (Northern Division) Sheet XXI.14 -	1880	PA3	two parallel solid black lines (in-filled)
			PA14	two parallel solid black lines with two

	Middle and Broughton Parishes & Hadnall Parish(Det)			dashed black lines along the centre
Ordnance Survey Records 25" 2nd Edition	BL 1601 (10) - SECOND EDITION 1901 SHROPSHIRE SHEET XXI.10.	1900	PA1	two parallel solid black lines
			PA14	two parallel solid black lines with two dashed black lines along the centre
Ordnance Survey Records 25" 2nd Edition	BL 1601(14) - SECOND EDITION 1901 SHROPSHIRE SHEET XXI. 14.	1900	PA14	two parallel solid black lines with two dashed black lines along the centre
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 un-numbered and not within a numbered parcel therefore there is no evidence for the route in the associated apportionment.

#### 2. Finance Act Survey Records

The two Finance Act Survey maps examined demonstrate evidence for the route. The route is shown on the map uncoloured and excluded and 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. A small section of the northern length of the route would appear from the map to be shown included within hereditaments. However, within the field book for entry "532", on page "3" there is a list of the OS parcel numbers to which the entry refers to. The route is specifically numbered as "100" and this does not appear in the list, therefore it is considered that the route was wholly excluded from hereditaments.

#### 3. Deposited Railway Records

The Deposited Railway Plan, DP/316, demonstrates evidence for part of length A – B of the case file route. The route is shown on the plan specifically numbered; however, the book of reference is not available. There is no evidence for the route on the associated section.

#### 4. Non-Ordnance Survey Commercial Mapping

The two Non-Ordnance Survey Commercial maps demonstrate evidence for the entire route. Baugh's describes the route in a manner which fails to confer any indication of status, i.e. as "By-roads" in the map key. Greenwood's map shows the route on the map where it is described under the heading "Cross Roads" in the map. 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.

5. Ordnance Survey Records

a) Ordnance Survey Surveyor's Drawings

The Ordnance Survey Surveyor's Drawing demonstrates evidence for the whole route as a physical feature only.

b) Ordnance Survey 1" Old Series

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

c) Ordnance Survey 25" 1st Edition

The route is shown traversing two Ordnance Survey 25" 1st Edition map sheets. The route is shown, in part, specifically numbered but there is no evidence for the route in the associated book of reference.

d) Ordnance Survey 25" 2nd Edition

The route is shown traversing two Ordnance Survey 25" 2nd Edition map sheets. The route is shown un-named on both maps therefore the object name book has not been examined.

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 and 3rd class metalled roads on OS 1" New Series maps will be taken as evidence 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 the route does 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/130/009 was included in the research scope by the Discovering of Lost Ways Project during the course of research due to the discovery of evidence suggesting the existence of a public right of way and it is shown on the Ordnance Survey (OS) Explorer Mapping as an Other Route with Public Access (ORPA).

From the documents examined it is possible to establish that the case file route is shown on the Finance Act Survey maps uncoloured and excluded from hereditaments. This suggests that the route was considered to be a public highway at the time of the Finance Act Survey, but does not in itself provide evidence about the class of rights that existed over it. One of the Non-Ordnance Survey Commercial maps shows the route 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" 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 and 3rd class metalled roads on OS 1" New Series maps will be taken as evidence 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 is also shown on the other supporting Ordnance Survey maps but these provide no evidence of status or class.

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 therefore has 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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