

**HERTFORDSHIRE COUNTY COUNCIL  
Countryside & Rights of Way Service**



**Modification Order Application  
Reasons for the Decision Report**

Drovers Path Sandon (NH326)  
Doebridge Farm to Sandon 23 (NH162)

Author: Rachel Knowles

Date: September 2024

## **Application Details**

Two applications have been made to record rights of way in the parish of Sandon in north Hertfordshire.

NH326: Drovers Path, Sandon. Application to record Drovers Path as a restricted byway at Green End, Sandon. Labelled points 1-2 on the application plan.

NH162: Doebridge Farm to Sandon 23. Application to record a footpath from Doebridge Farm to Sandon Footpath 23. Labelled points 3-4 on the application plan.

An extract of the 2015 Definitive Map is attached which shows where the routes are.

The Drovers Path application was duly made by Bridget Wheeler on 05/05/2020. Evidence submitted in support of the application was:

Bryant's Map of Hertfordshire, 1822

Sandon Tithe Map, 1841

Sandon Inclosure Map, 1842

Commons Act Map, 1899, extract

OS maps 1878, 1897, 1923, 1968

44 user evidence forms

The Doebridge Farm application was duly made by Mark Westley on 04/02/2004. It referred to the Sandon Inclosure Award of 1842 and 19<sup>th</sup> century OS maps. The application was made before case law came in which required copies of all evidence relied upon to be submitted with the application (Winchester, 2008).

## **Description of Route**

The routes are located in Green End, Sandon in North Hertfordshire. It is a very rural area that is generally flat, with mostly arable land and few houses. The nearest town is Buntingford, a small market town to the southeast.

The Drovers Path route commences at point 1 from Sandon Lane heading east along the driveway of the property Carriers, as a part metalled track (plate 1). At the gate of the property, the route turns slightly southeast to follow a stream (plate 2). The route continues as a natural surface path between a fence to the north and the stream to the south (plates 3&4). There is vegetation including some large old oak trees alongside the route (plate 5). At point 2 the route is crossed by a drain leading into the stream at the corner of an arable field (plate 6).

The Doebridge Farm route commences at point 3 from Sandon Lane opposite the driveway to Doebridge Farm, heading east (plate 7). There is a wide opening to the field which has been used by farm vehicles (plate 7). After about 30 metres the route joins a deep drainage ditch on its southern side (plates 8&9). A 7 metre wide grassy strip where the application route runs has been left uncropped alongside the ditch (plate 10). Where the ditch turns sharply to the south, the application route continues east to join footpath 23 (plate 11). It crosses land that is cropped to meet footpath 23 (plate 12). There is a wide gap in the hedge where footpath 23 passes through the boundary (plate 13). The application route meets footpath 23 at point 4, around where there is a zigzag marked by two wooden waymark posts (plates 14&15).





## Photographs of the Application Routes

### Drovers Path route (1-2)



Plate 1



Plate 2



Plate 3



Plate 4



Plate 5

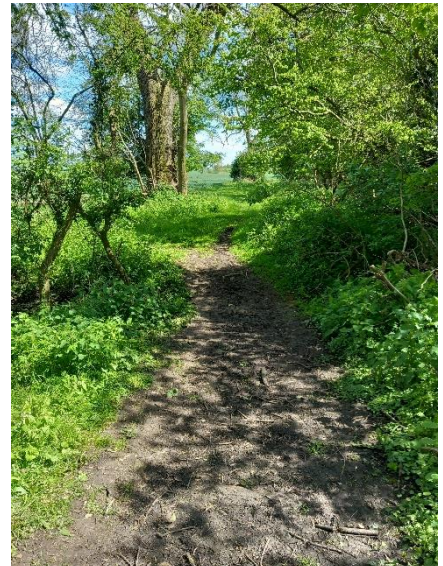


Plate 6



**Doebridge Farm route (3-4)**



Plate 7



Plate 8



Plate 9



Plate 10



Plate 11



Plate 12



Plate 13



Plate 14



Plate 15



## Documentary Evidence

For each investigation, we check at least 10 primary sources of information for any historic evidence relating to the application route. You can view the documents listed below at Hertfordshire Archives and Local Studies (HALS) or at the Countryside and Rights of Way Service (CROW). The documents are listed below with a reference number (if it has one) and where you can find it.

Where the document shows information relevant to the area of the application route, it is listed with the following information:

- the document's name, date and where it can be found (location and reference);
- why we consider the document important when making our decision;
- what is shown by the document in the area of the application route;
- investigating officer's comments.

For further information contact:

Hertfordshire Archives and Local Studies (HALS) - <https://www.hertfordshire.gov.uk/hals>  
Countryside and Rights of Way Service (CROW) - [www.hertfordshire.gov.uk/row](http://www.hertfordshire.gov.uk/row) or 01992 555279 to make an appointment.

If you would like more information about documents and how they are important in investigating public rights of way, please go to the Government's Information website and view the Planning Inspectorate's Guidance Booklet for Definitive Map Orders: Consistency Guidelines at

<https://www.gov.uk/government/publications/definitive-map-orders-consistency-guidelines>

No records for the following historical documents listed have been found with regard to the application route.

- **Dury and Andrews map, 1766**  
No evidence found relating to the application routes
- **Highway Diversion/Extinguishment Records**  
No records found relating to the application routes
- **Railway and canal plans**  
No records found relating to the application routes
- **Highways Maintenance Records**  
No evidence found relating to the application routes
- **Aerial Photographs**  
No evidence found relating to the application routes

Arrows have been added to the document extracts to denote the start and ends of the application routes. The Drovers Path route (points 1 and 2) is shown by purple arrows. The Doebridge Farm route (points 3 and 4) is shown by red arrows.

## 1. Bryant's Map

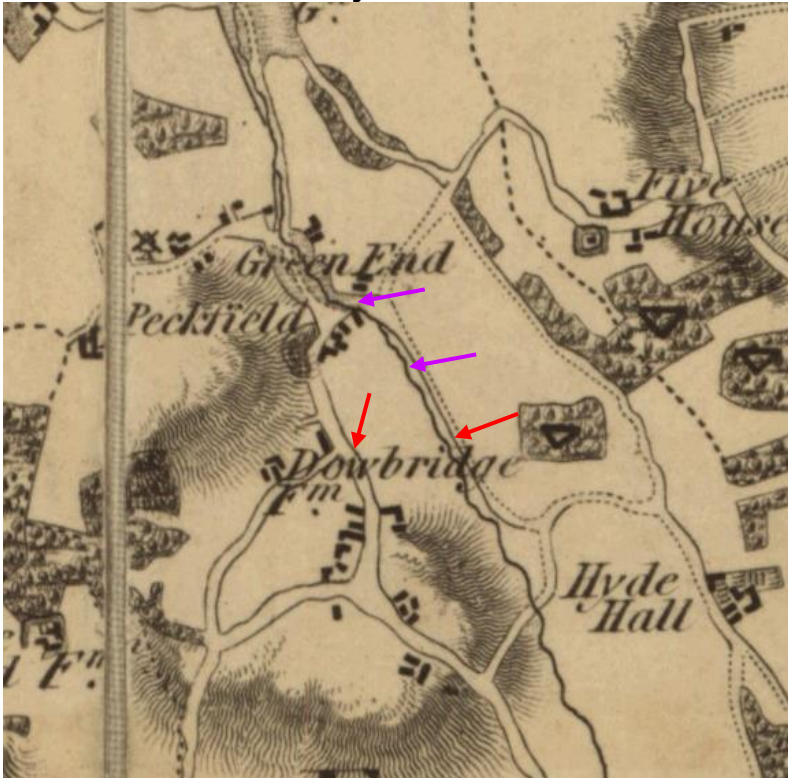
Date: 1822

Ref: HALS - CM88

### 1.1 Why we consider this document important

Andrew Bryant's 1822 map of Hertfordshire was again drawn from an original survey. Its depiction is much more accurate (like an Ordnance Survey map) rather than being schematic. This may be due to survey equipment (theodolites) becoming commercially available in the 1790s. The "explanation" (or legend) lists "Turnpike and Mail Roads", "Good Cross or Driving Roads" and "Lanes & Bridleways". It is unlikely that it shows routes which, at the time, were thought to be footpaths. Like Dury and Andrews' map, Bryant's map was sold to members of the public and cost 3-4 guineas. The commercial nature of the map means that routes shown are likely to be public unless there is strong contemporary evidence which shows that routes are private. As public roads prior to 1835 were maintainable by the parish, it is likely that routes shown are now publicly maintainable.

### 1.2 What is shown by this document in the area of the application route?



This map shows Green End with Peckfield (Beckfield) to the west, Dowbridge (Doebridge) Farm to the south and Hyde Hall to the southeast. Sandon Lane runs from the north into Green End and route 1-2 forms a junction with it on the eastern side. Route 1-2 is shown as 'lanes and bridle ways', with a solid and pecked lines, i.e. enclosed on the western side next to the waterway and open on the eastern side. The route is shown continuing southeast of point 2 towards Hyde Hall. Route 3-4 is not shown on this map.

### 1.3 Decision

HCC decided this map provides evidence for the existence of the application route between points 1-2 and further southeast. It is shown as 'lanes and bridle ways' in the same way as Beckfield Lane which is a public road today. This map provides no evidence for route 3-4.

## **2. Sandon Tithe Map and Tithe Apportionment**

Date: 1841

Ref: HALS DSA4/90/2

### **2.1 Why we consider these documents important**

A 'tithe' was literally a 'tenth' of the produce of the land and was paid in kind to finance the Church (crops were stored in 'tithe barns'). The tithe surveys were carried out under the Tithe Commutation Act of 1836 to reform this system to an easier money payment. Maps were drawn up to show the titheable land in order to assess the amount of money to be paid.

In 1837 the Act was amended to allow maps produced to be either 1st class or 2nd class. They did not have to be made from an original survey. 1st class maps are legal evidence of all matters which they portray, and were signed and sealed by the commissioners. They had to be at a scale of at least 3 chains to the inch. 2nd class maps were evidence only of those facts of direct relevance to tithe commutation, and are often at 6 chains to the inch. Both 1st and 2nd class maps have been accepted by the courts as evidence. Unfortunately the proposed convention of signs and symbols to be used, which included Bridle Roads and Footpaths, was not strictly adhered to.

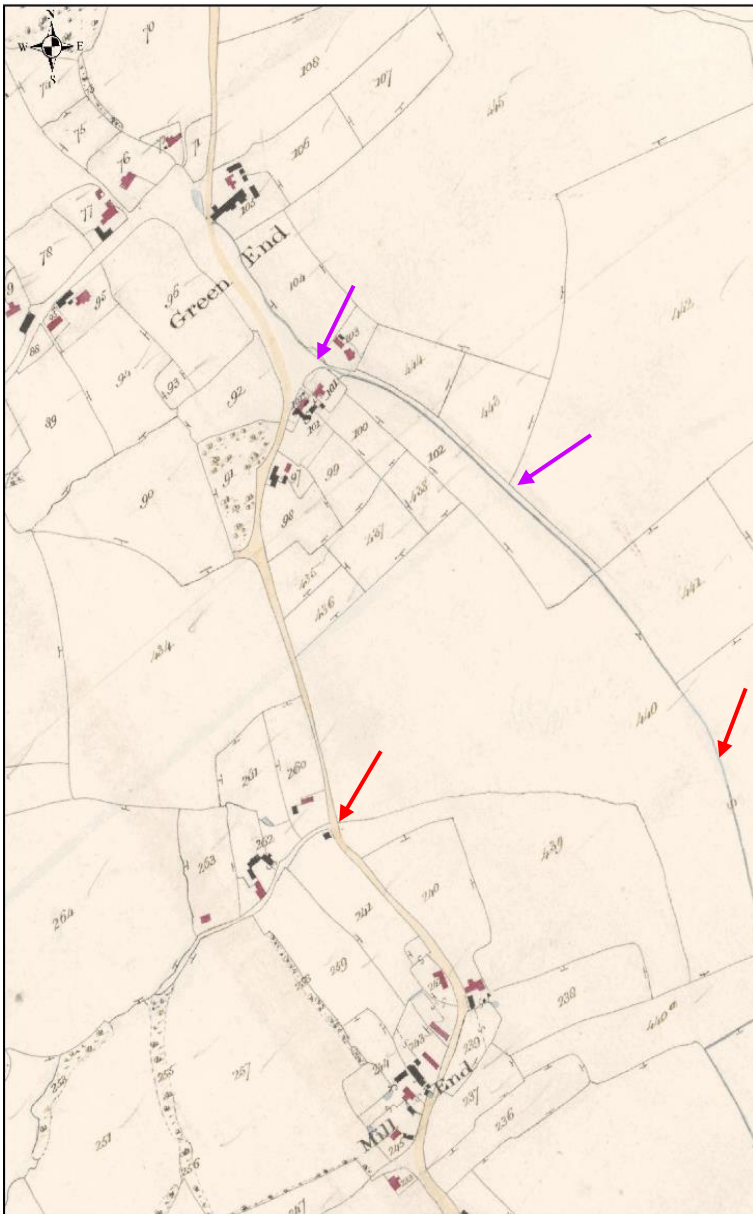
The tithe process received a high level of publicity. This ensured the documents were an accurate record of the agricultural landscape at this period of history. Therefore, although the process was not directly concerned with rights of way, inferences can be drawn from tithe documents regarding the existence of public rights. Non-titheable land deemed to be unproductive could be excluded from the process. No tithe was therefore payable on roads and so it was in the interest of the landowners for these to be shown correctly. Taken together with corroborative evidence, highways that are coloured yellow or sienna can indicate public status. Footpaths and bridleways are not often shown on tithe maps as they did not generally affect the productivity of land and so the calculation of tithe rent.

### **2.2 What is shown by these documents in the area of the application route?**

These documents show route 1-2 as a linear feature that follows the waterway and is not given a plot number. It is excluded from plot 102 because there is a boundary marked along the western side of the waterway. Route 1-2 is not coloured. The linear feature continues further southeast of point 2 to the next field boundary, but is now shown as a cul de sac. Sandon Lane is coloured sienna but Beckfield Lane, Sandon Lane to Five Houses Farm, Sandon BOATs 44 and 45, Rushden and Wallington BR 46 and multiple routes now recorded as FPs are shown enclosed, uncoloured and un-numbered in the same way as route 1-2, however none of these routes are cul-de-sacs.

It was raised in the consultation that such a route must have higher than footpath status, as the Tithe Award makes no charge for it, in the same way as for roads, lanes and bridleways.





Route 3-4 is not shown on this document. This application route would approximately follow the boundary between plots 439 and 440 but it is not marked. In the award, plot 439 is called 'In Bury Mead' and is described as arable and plot 440 is 'In Bury Mead' and is described as arable and pasture.

### 2.3 Decision

HCC decided these documents provide evidence that route 1-2 was not productive land but does not provide clear evidence for the status of the route. The comment in the consultation (above) has limited weight.

These documents provide no evidence for route 3-4. It was normal not to show footpaths on the Tithe Map as it was assumed they did not affect the productiveness of the land.

### 3. Sandon Inclosure Records

Date: 1842

Act ref: 1801, 1821 and 1836 General Inclosure  
Award and Maps ref: HALS QS/E84 & QS/E85

### **3.1 Why we consider these documents important**

Enclosure was the process of physically changing the landscape to benefit the development of modern farming practices as technology improved. It was popular from the late medieval period to the 19th century and carried out on a parish-by-parish basis. As it changed the layout and size of fields it also changed the routes of roads and rights of way.

Inclosure was the legal process of carrying out the physical changes. It could be carried out by agreement, but where this was not possible an Act of Parliament was needed to grant the powers to make the desired changes. Through time such Acts became more popular than agreements. Prior to 1801 these powers were granted to each parish individually by private Acts of Parliament. In 1801 the first General Act was passed which could be used by any parish. Further General Acts were passed in 1836 and 1845. However, private Acts continued to be obtained if the required powers were not granted by the General Acts. They are important evidence to show us what powers the commissioners had and, if available, they should be read in conjunction with the Inclosure Award and Inclosure Map, which recorded the inclosure process.

The award is the written record of the changes that were made. It lists the lands that were given to each landowner, the roads and rights of way that were stopped up and those that were set out, or created. The map (which was not legally required until 1845) shows pictorially the changes made.

As inclosure was a detailed legal process with powers granted by Parliament, it can give us conclusive evidence of a right of way.

### **3.2 What is shown by these documents in the area of the application route?**

The relevant sections of the Enclosure Acts are:

1836: 52: 'And be it further enacted, That all and every the Clauses, Provisions, and Enactments contained in the said Act of the Forty-first Year of the Reign of King *George* the Third (1801) and of the First Year of the Reign of King *George* the Fourth (1821), or such of them as are applicable to an consistent with the Purposes and Object of this Act, shall and may be in full Force and Effect for carrying into effect the Allotments, Division, Inclosures and Exchanges hereby authorized to be made, as fully and effectually as if such Clauses, Provisions, and Enactments had been herein repeated and re-enacted, and have been made Part of this Act, with such Alterations and Variations as would adapt them and render them applicable to the Object and Purposes of this Act.'

1801: 8: 'Be it further enacted, That such Commissioner or Commissioners shall, and he or they is and are hereby authorized and required, in the first Place, before he or they proceed to make any of the Divisions and Allotments directed in and by such Act, to set out and appoint the publick Carriage Roads and Highways, through and over the Lands and Grounds intended to be divided, allotted, and inclosed, and to divert, turn, and stop up, any of the Roads and Tracts, upon or over, all, or any Part of the said Lands and Grounds, as he or they shall judge necessary, so as such Roads and Highways shall be, and remain thirty Feet wide at the least, and so as the same shall be set out in such Directions as shall, upon the Whole, appear to him or them most commodious to the Publick, and he or they



are hereby further required to ascertain the same by Marks and Bounds, and to prepare a Map in which such intended roads shall be accurately laid down and described, and to cause the same, being signed by such Commissioner, if only one, or the major Part of such Commissioners, to be deposited with the Clerk of the said Commissioner or Commissioners, for the Inspection of all Persons concerned;’ ... ‘Provided always, That in Case such Commissioner or Commissioners shall by such Bill be empowered to stop up any old or accustomed Road, passing or leading through any Part of the old Inclosures in such Parish, Township, or Place, the same shall in no Case be done without the Concurrence and order of two Justices of the Peace, acting in and for such Division, and not interested in the Repair of such Roads, and which Order shall be subject to Appeal to the Quarter Sessions, in like Manner and under the same Forms and Restrictions as if the same had been originally made by such Justice as aforesaid.’

10: ‘And be it further enacted, That such Commissioner or Commissioners shall, and he or they is and are hereby empowered and required to set out and appoint such private Roads, Bridleways, Footways, Ditches, Drains, Waterways, Watering Places, Quarries, Bridges, Gates, Stiles, Mounds, Fences, Banks, Bounds and Land Marks, in, over, upon, and through or by the Sides of the Allotments to be made and set out in pursuance of such Act, as he or they shall think requisite, giving such Notice and subject to such Examination, as to any private Roads or Paths, as are above required in the Case of publick Roads, and the same shall be made, and at all Times for ever thereafter be supported and kept in Repair, by and at the Expencc of the Owners and Proprietors for the Time being of the Lands and Grounds directed to be divided and inclosed, in such Shares and Proportions as the Commissioner or Commissioners shall in and by his or their Award order and direct.’

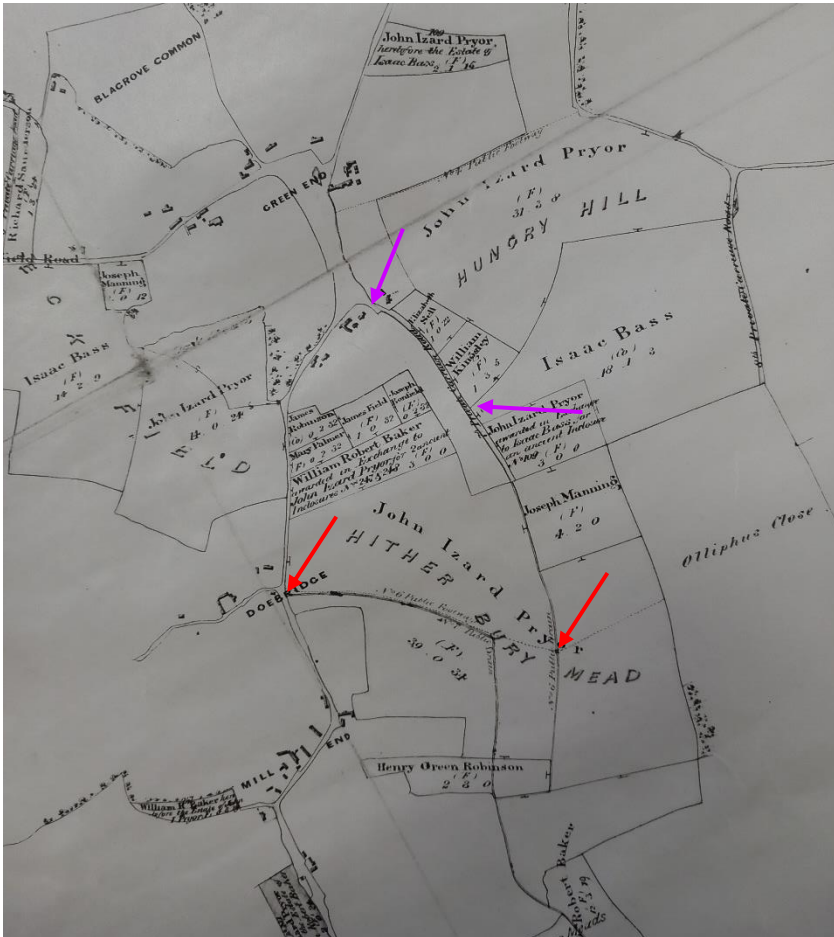
11: ‘...and all Roads, Ways, and Paths, over, through, and upon such Lands and Grounds which shall not be set out as aforesaid, shall for ever be stopped up and extinguished, and shall be deemed and taken as Part of the Lands and Grounds to be divided, allotted, and inclosed, and shall be divided, allotted, and inclosed accordingly...’

This Inclosure was made under the 1836 Inclosure Act, which encompasses the 1801 and 1821 Acts. There are no provisions relevant to rights of way in the 1821 or 1836 Acts. Under the 1801 Act, section 8 requires the commissioner to set out public carriage roads and highways and requires the stopping up of roads to be certified by an order of two Justices of the Peace, section 10 gives the commissioner the power to set out private roads and footways etc., Section 11 stops up all routes not set out in the award, with the extra requirement for a certificate required for roads in section 8.

Relevant sections of the Award:

No.7. ONE other Private Carriage Road and Driftway of the width of twenty feet commencing at Green End and proceeding in a south eastward direction along the course of the ancient Road to the north west corner of an allotment to Joseph Manning in Hither Bury Mead Which said road I do hereby direct and award shall be maintained and repaired by and at the expense of the under mentioned Owners of allotments adjoining and the Owner or Owners thereof for the time being and in the following proportion that is to say commencing at Green End Elizabeth Sell eighty two yards, William Kingsley eighty two yards Isaac Bass eighty two yards and Joseph Manning eighty two yards.

No.6.  
 From Five Houses to Ive Bridge. Doe  
 ONE other Public Footway commencing at an ancient Inclosure called Olliphus Close belonging to William Robert Baker and proceeding in a westwardly direction over Hither Bury Mead to Ive Bridge. Joe



The Inclosure Award sets out 6 public carriage roads, 8 private carriage road and driftways, 6 public footways and 8 public drains.

Route 1-2 is set out in the award as the 7<sup>th</sup> private carriage road and driftway with a width of 20 feet. The road set out continues one field boundary further south than point 2. The award says that this road goes 'along the course of the ancient Road'. The road maintenance is split evenly between the four adjacent landowners, Elizabeth Sell, William Kingsley, Isaac Bass and Joseph Manning. On the map it is shown from Green End heading southeast and is annotated '7<sup>th</sup> Private Carriage Road'. The allotments to these owners share the maintenance of the fences onto the 7<sup>th</sup> private carriage road and say that they 'shall be made and maintained by the owner or owners of this Allotment for the time being'.

Route 3-4 is set out in the award as the 6<sup>th</sup> public footway. No width is specified for the footway. On the map it is shown following the course of the 7<sup>th</sup> public drain and crossing the 6<sup>th</sup> public drain and north-east to reach Olliphus Close (ancient Inclosure), and it is annotated '6<sup>th</sup> Public Footway'. The footway meets what is now footpath 23 at point 4. The footway continues along the course of Sandon footpath 23 but stops at the west side of the field annotated Olliphus Close, although footpath 23 continues today. The allotment that this footway runs through is the 5<sup>th</sup> freehold allotment to John Izard Pryor, which is



described as 'ONE other plot of land in Hither Bury Mead subject to the public footway and public drains hereinbefore awarded over and through the same'.

All of the public carriage roads that are set out in the award are now adopted public roads, including Beckfield Lane.

The private carriage roads set out in the award do not have a consistent status today, some are footpaths, some are bridleways and some are not recorded.

The public footways set out in the award, other than the application route 3-4, are all recorded on the Definitive Map as footpaths.

### **3.3 Decision**

HCC decided that these documents provide evidence that route 1-2 was set out as a 'private carriage road and driftway', to be maintained in equal parts by the four neighbouring landowners. The decision in "Andrews 2" case law *R v SOSEFRA, ex p Andrews* [2015] EWCA Civ 669 says that it is 'not impossible' for 'private' to only apply to the first item in the list, so the driftway could be public. The local context must be considered, this being that the route is apparently a dead end for public rights.

It may be implied that the 'private carriage road' rights belong to only these four landowners as it is used to access their land, or that use of the route may be public, but the Award makes it clear that it is privately maintainable.

The reference to the 'ancient road' is supporting evidence that a public road previously existed along this route. Section 8 of the 1801 Act required an order of two Justices of the Peace to stop up an ancient road. No evidence has been found that this requirement has been met, however the Enclosure Map accords with the earlier Tithe map in truncating this route at the same point, suggesting that there was a belief locally that the ancient highway had been stopped up. HCC decided that within less than 20 years of Bryant's Map showing a through route, two well publicised legal processes, one year apart, produced maps that accorded with each other showing the ancient road stopped up, indicating that the required process was carried out.

It is also possible that the 'ancient road' was a lower status 'bridle road' or bridleway, the only evidence for its status being the reference to an 'ancient road' in this award and 'lanes and bridleways' in Bryant's Map. If it was only of bridleway status it was stopped up by section 11 without certification by the Justices of the Peace.

These documents also provide evidence that route 3-4 was set out in the award as a public footway. Part of the footway that was set out is now footpath 23. According to "Andrews 2", the 1801 Inclosure Act granted commissioners the power to set out new public footways, so this footway was legally set out at that time.

## **4. Sale Particulars**

Date: 1857, 1879, 1888, 1920

Ref: see below

### **4.1 Why we are considering these documents**

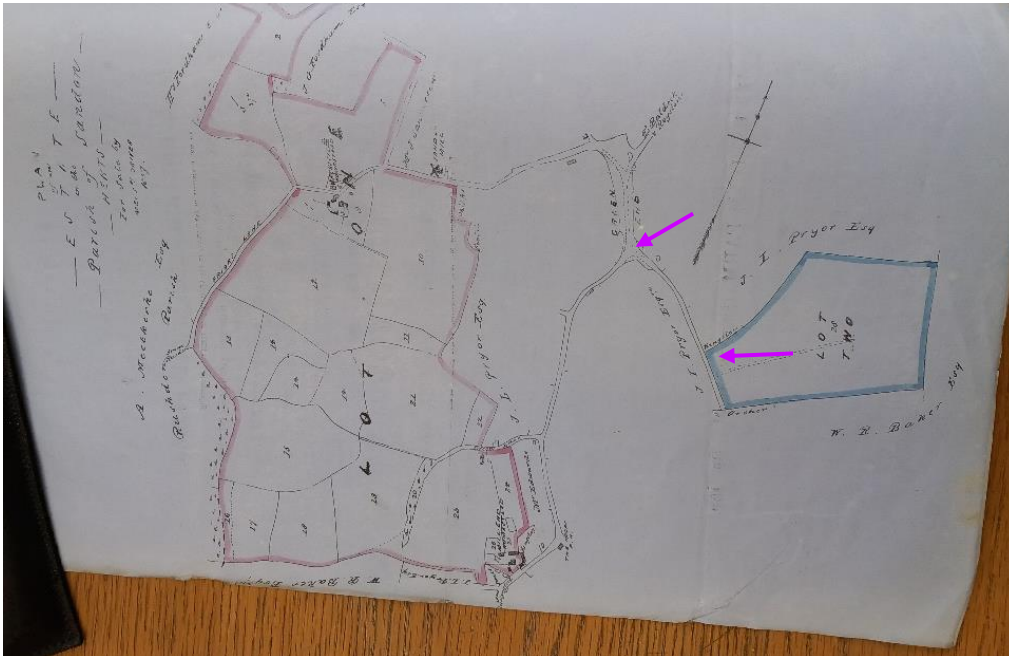
These were produced for the sale of part or the whole of an estate. They give details of buildings, land use, and the extent of land to be sold. They usually contain a map (often based on an Ordnance Survey plan), although they rarely give evidence of rights of way. They can show if a route was considered to be owned by a particular landowner. They may also show if the landowner considered the route to be public. In some cases, land may be described as being bounded by public roads. Generally they provide background information, usually as to the ownership of the land; they can show the existence of a route

and occasionally they can provide supporting evidence as to the status of right of way that exist.

#### 4.2 What is shown by these documents in the area of the application route?

##### Sale of Beckfield Farm, 1857

Ref: HALS DE/Ry/B394



This document is for the sale of Beckfield Farm in two lots. The plot of land next to route 1-2 is marked 'Lot Two'. Route 1-2 is clearly shown on the plan, and it is not coloured so it is not included in the sale of the plot (lot 2). There is no mention of the route in the description.

##### Sale of Land at Hither Bury Mead (no plan), 1879 Ref: HALS DE/Ry/B397

This document is for the sale of the plot of land just south of point 2. The description says that the plot is 'approached by a private road' which refers to route 1-2.

##### Sale of Green End Farm, 1888

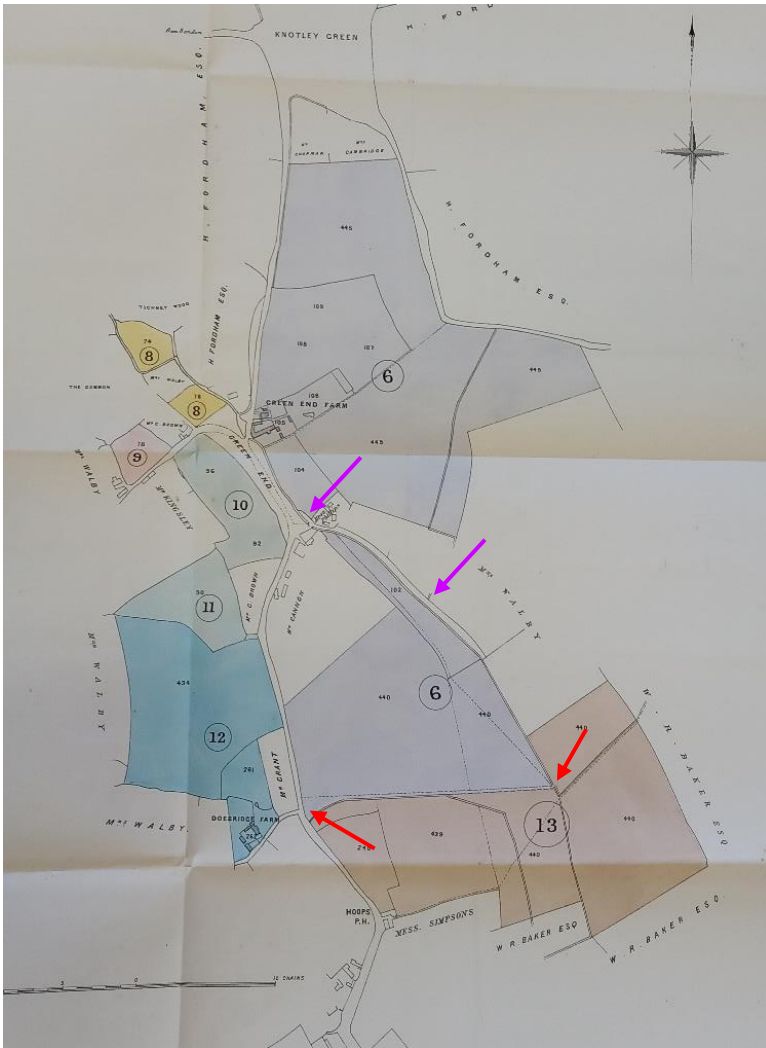
Ref: HALS DE/Ry/B399

This document is for the sale of wider land including Green End Farm as lots 6 to 13. On the plan, route 1-2 is not coloured as part of the estate for sale, although neighbouring land was for sale. Route 1-2 is shown in the same way as known public routes.

Route 3-4 is shown by a pecked line within the southern edge of lot 6. Footpath 23 is shown in the same way within lot 13. There is no mention of the application routes in the descriptions.

(see plan below);





**Sale of Land at Green End (no plan), 1920**

Ref: HALS DE/Ry/B149

This document is for the sale of a plot of land neighbouring route 1-2 called Hungry Hill at Green End, as lot 2 in the sale. The description says that the plot is ‘approached by a Lane leading from Green End’.

**4.3 Decision**

HCC decided these documents provide evidence for the physical existence of the application routes. The 1879 sale alleges that route 1-2 was a private road. However in the documents with plans, route 1-2 is not coloured, so it was not considered to be part of the sellable estate.

**5. Ordnance Survey maps**

Date: 1878, 1897, 1923, 1968

Ref: Hertfordshire VIII.11, Barkway TL33 (1968)

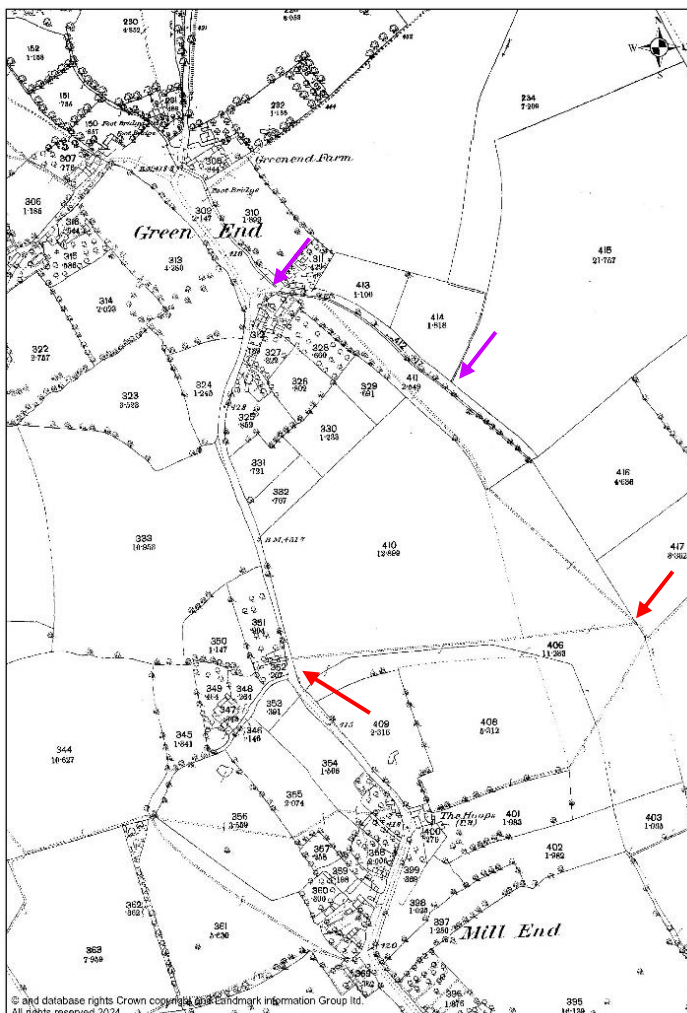
**5.1 Why we consider these documents important**

The original surveys were carried out by Royal Engineers at the time of the Napoleonic wars in order to better plan the transportation of ordnance around the country. It was only in the early 20th century that the OS evolved to become a public service that sold its

mapping information to the public. Since the 1960s this mapping information has included public rights of way, which are derived from each county's Definitive Map.

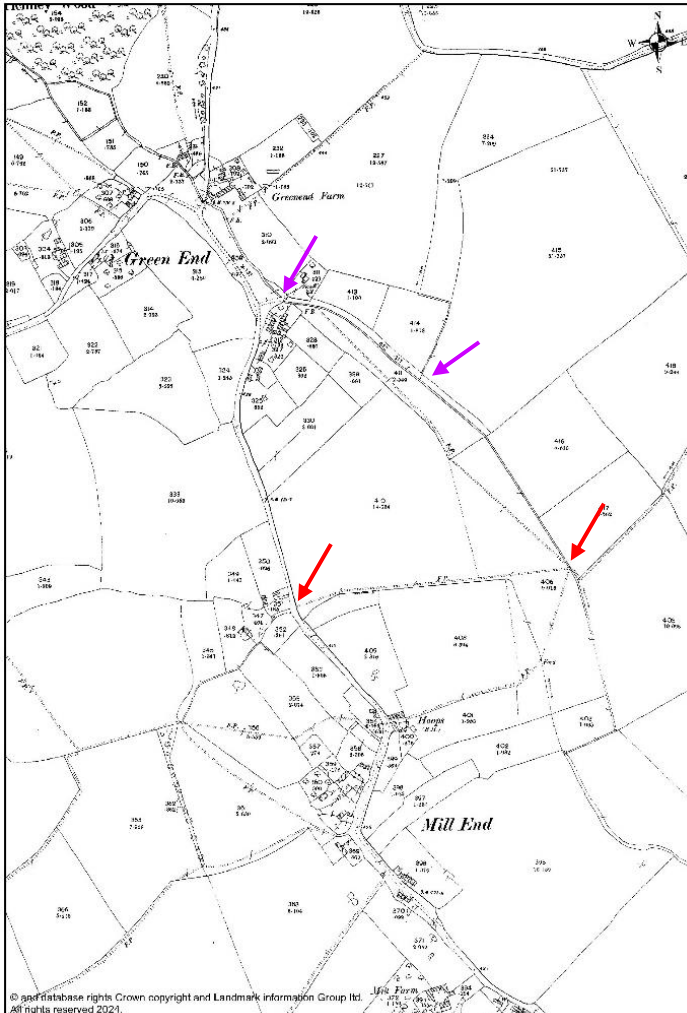
The Ordnance Survey has produced a series of topographic maps at different scales notably the one inch, six inch and 1:2500. The detailed, large scale 1:2500 maps from the 1870s onwards provide the best evidence of the position and width of routes and the existence of any structures on them. These maps provide good evidence of the physical existence of routes at the time the map was surveyed. When compared with earlier, less accurate maps they can help corroborate the existence of routes. Ordnance Survey maps show features that physically exist and may label routes as footpaths and bridleways etc. However, the disclaimer which has been added to all editions since the 2nd edition maps (circa 1897/8 in Hertfordshire), along with official guidance to the surveyors of the maps at the time, states that the representation of any track or way is no evidence of a public right of way.

## 5.2 What is shown by these documents in the area of the application route?



**First Edition 1878** – Route 1-2 is shown between solid lines connected at point 1 to Sandon Lane. A waterway and trees run down the west side of the strip of land, and are braced into the same plot. The strip of land is numbered 412 which is described as 'pasture' in the reference book. The strip of land continues beyond point 2 to the next field boundary, as set out in the Enclosure Award.

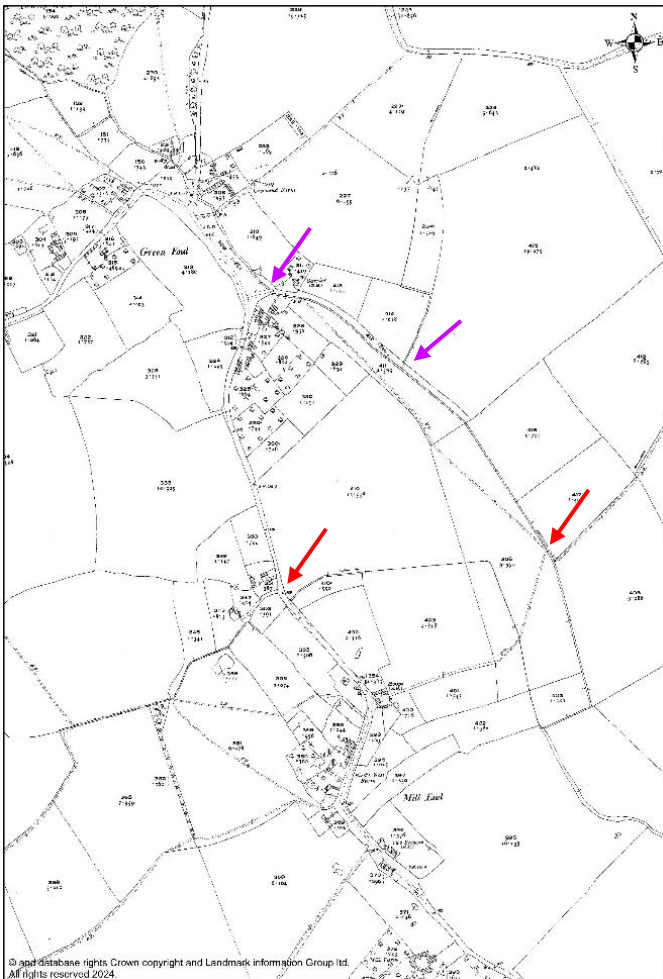
Route 3-4 is shown by double pecked lines that go straight across from Sandon Lane to footpath 23, following the field boundary part of the way. It is along the bottom of and braced into plot 410 which is described as 'arable' in the book of reference. There are no annotations on the double pecked lines, but neither are there annotations on known public footpaths such as footpath 23.



**Second Edition 1897** – Route 1-2 is shown in almost the same way as in the first edition, but there is now a line feature (possibly a gate) at point 2. Individual trees are no longer shown on the 2<sup>nd</sup> edition map.

Route 3-4 is shown by double pecked lines annotated F.P. (footpath), it is now less straight at the western end and lines up with the driveway to Doebridge Farm (reflecting the route set out in the inclosure award). The field boundary that the route follows is now shown as a drain flowing in an eastward direction.





**1923 Edition** – Route 1-2 is shown in the same way as the second edition, with the gate at point 2.

Route 3-4 is no longer shown by pecked lines, only the drain is shown.

**1968 Edition**, 1:25000 (provided by applicant) – Route 1-2 is shown next to the waterway and enclosed on one side. There is no longer a gate at point 2.

Route 3-4 are not shown, only the drain is shown.

### 5.3 Decision

HCC decided these documents show that route 1-2 physically existed as a narrow strip of land following the waterway and it did not have the appearance of a road in 1878, when it appeared to be used only for pasture. There was a gate at point 2 between 1897 until after 1923.

These documents show that route 3-4 physically existed, probably as a footpath, until some time between 1897 and 1923.

## 6. Commons Act Map

Date: 1899                      Ref: Submitted by applicant

### 6.1. Why we are considering these documents

This document was submitted by Bridget Wheeler in support of her application to record the application route between points 1 and 2.

## **6.2 What is shown by these documents in the area of the application route?**

This document shows the common land and town and village greens in the area, which are shaded onto the OS base map. The application route between points 1 and 2 is shown on the base map, connecting at point 1 to Green End Common.

## **6.3 Decision**

HCC decided this document provides no further evidence than is provided by the OS maps which are considered in section 5.

## **7. Inland Revenue Documents**

Date: 1909-1910                      Ref: HALS IR2/63/1 & IR1/66a

### **7.1 Why we consider these documents important**

The Finance (1909-1910) Act 1910 was passed in order that a tax could be levied on any increase in the value of land when it changed hands. In order to ascertain the value of all land as at 30th April 1909, a survey was carried out assessing each piece of land. The OS 2nd Edition Plans (usually from 1898) were used as the base maps and annotated. Details were recorded in field books and valuation books. These books included a column which allowed a deduction in tax if a public right of way crossed the land. Every property was given a plot or 'hereditament' number which was then referred to in the valuation books and maps. Hereditaments were coloured on the maps to identify land holdings. Not all land was coloured.

Once a provisional valuation of a property had been reached, landowners were given the opportunity to appeal. The whole process was carried out under statutory authority by the Valuation Department of the Inland Revenue and there were criminal sanctions associated with the falsification of evidence. It would have been negligent to omit such land from the survey, including private roads, which might have had value. However, it was not a criminal offence not to deduct tax if a right of way did cross your property. Consequently, the resultant records carry a high level of evidential weight as to the routes which they show to exist, but are unlikely to be good evidence that rights of way do not exist.

Where a route is shown uncoloured on the plans and excluded from the taxable land this provides very strong evidence of it being public highway. Usually this will be of vehicular status unless there is other contemporary evidence to indicate otherwise. Where footpaths and bridleways cross privately owned land these may be recorded as a reduction to the tax. However, where routes cross large hereditaments it can be difficult to establish which route is considered to be the right of way without additional details.

### **7.2 What is shown by these documents in the area of the application route?**



Route 1-2 is uncoloured on the map and not included in a hereditament. This may be because it was considered to be a public road or may be because it was in shared ownership.

Route 3-4 is marked on the OS base map by parallel pecked lines and labelled F.P. for footpath. It runs through hereditament 88. In the book of reference plot 88 is described as 'land' and 'Bury Mead and Doe Bridge'. There is a £50 tax deduction for public rights of way or user in this plot. However, other routes are marked F.P. on the base map running through plot 88, including part of footpath 23 and another F.P. that runs south parallel to route 1-2 to join footpath 23. There is no information to tell which public rights of way or user the deduction was for.

### 7.3 Decision

HCC decided these documents provide evidence that route 1-2 was not valued in the survey. Usually this will be because the route has a public vehicular status, unless there is other contemporary evidence to indicate otherwise. PINS consistency guidelines 11.2.7. highlights that there may be other reasons why a route is excluded from hereditaments, "there are some cases of a private road set out in an inclosure award (see section 7) for the use of a number of people but without its ownership being assigned to any individual, being shown excluded from hereditament" this appears to be the case for route 1-2. There was no provision within the Act to record a linear feature such as this land with multiple owners, and it is clear from the Enclosure Award of 1842 that this route was allotted to 4 separate landowners.

There is evidence that the owner of plot 88 considered there to be public rights of way across their land, as there were tax deductions. As route 3-4 is shown as F.P. on the OS base map, it is very likely that this was one of the rights of way claimed.

## 8. Definitive Map Records

The National Parks and Access to the Countryside Act 1949 required the County Council to prepare a Definitive Map and Statement to show and describe the public rights of way in the



county. The Map is conclusive evidence of what it shows, but is without prejudice to what is not shown.

The process resulting in today's Definitive Map and Statement consists of several stages which are dealt with below:

- the Parish Survey
- the Draft Map, Provisional Map and first Map and Statement (1953)
- the Special Review (following the Countryside Act 1968)

### 8a. Definitive Map Records – Sandon Parish Survey

Date: 1951

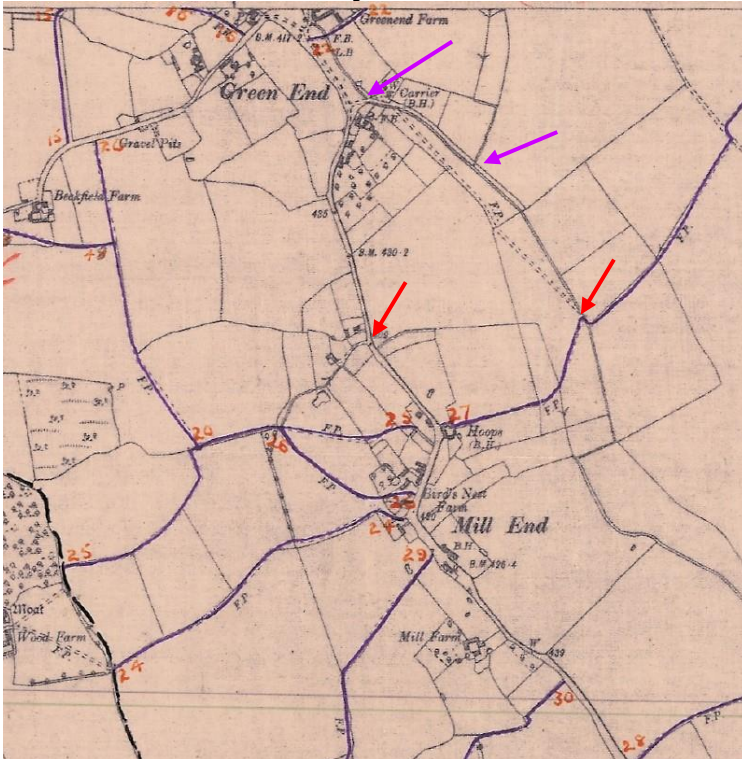
Ref: ROW

#### 8a.1 Why we consider these documents important

Under the National Parks and Access to the Countryside Act 1949 the county council was required to show all public paths which were defined as "footpaths", "bridleways" and "roads used as public paths". This last term was never properly defined and has resulted in much confusion ever since. There was no requirement to record public vehicular highways.

In Hertfordshire each parish carried out a survey of the paths which were believed to be public. Sometimes additional surveys were carried out by the Ramblers' Association or the Youth Hostel Association; or comments were made by them on the parish's survey. The surveys once completed were sent to the County Council for collating and publishing as the Draft Map.

#### 8a.2 What is shown by these documents in the area of the application route?



Neither of the application routes are shown on the parish survey map nor mentioned in the surveys or correspondence. The Ramblers' survey commented on the poor maintenance of the paths in the parish.

### 8a.3 Decision

HCC decided this document provides no evidence regarding the application routes.

### 8b. Definitive Map Records – Draft, Provisional and First Definitive Map

Date: 1953

Ref: ROW

#### 8b.1 Why we consider these documents important

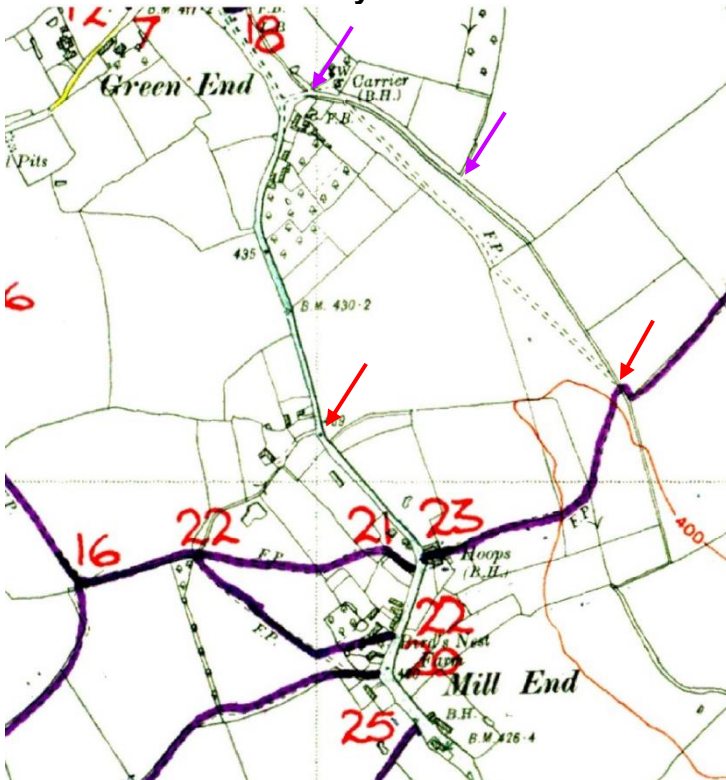
The parish surveys were collated into the Draft Map and Statement. Notices were published advertising that the Draft Map and Statement had been produced so that the public (including landowners) could object to what was included or to what was omitted. Hearings were held to consider these objections and recommendations were made based on the evidence presented.

The Draft Map and Statement was amended following the hearings to produce the Provisional Map and Statement. As before, notice of the production of the Provisional Map and Statement was advertised but this time only landowners, lessees and tenants could apply to the Quarter Sessions to amend the map – the public could not. The map and statement were then amended to reflect the court's finding.

Please note that these records vary across the county as a full sequence of Draft Map and then Provisional Map has not always been kept.

After the amendments to the Provisional Map and Statement were made, the First Definitive Map and Statement for Hertfordshire was produced. The Map and Statement together provide conclusive evidence of the existence of those public rights of way shown at the 'relevant date' of 1953; i.e. the information shown was correct at that date.

#### 8b.2 What is shown by these documents in the area of the application route?



Neither of the application routes is shown on the First Definitive Map and there is no correspondence in HCC's records regarding Sandon.

### 8b.3 Decision

HCC decided this document provides no evidence regarding the application routes.

### 8c. Definitive Map Records - Special Review

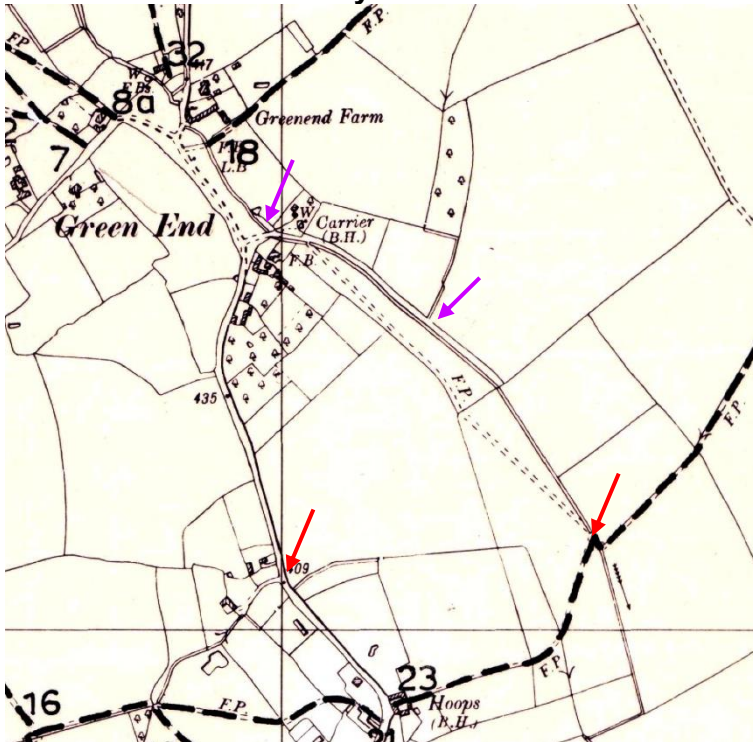
Date: 1980s

Ref: ROW

#### 8c.1 Why we consider these documents important

The Countryside Act 1968 created the new designation right of way to be recorded - a "byway open to all traffic". This was the first time that vehicular rights were recorded on the Definitive Map. It also required county councils to carry out a Special Review to reclassify all "roads used as public paths" as either "footpaths", "bridleways" or "byways open to all traffic". In Hertfordshire the Special Review was started in 1977. This was later extended to include all the amendments to the network made by diversions since the first Definitive Map. It also showed if applications had been made to add or amend details of routes. Copies of the Special Review Draft Map showing all these changes were published, inviting objections from the public. Due to the number of objections received and not resolved, the Secretary of State ordered the abandonment of the Special Review in Hertfordshire in 1984. The Definitive Map and Statement was amended to show all changes which did not have outstanding objections, and these were shown on the Definitive Map and Statement produced in 1986.

#### 8c.2 What is shown by these documents in the area of the application route?



Neither application route is marked on the special review map, nor are they mentioned in the correspondence from the special review in Sandon.



### **8c.3 Decision**

HCC decided these documents provide no evidence regarding the application routes.

## **9. Highways Maintenance Records**

Date: 2004

Ref: Provided by neighbouring landowner

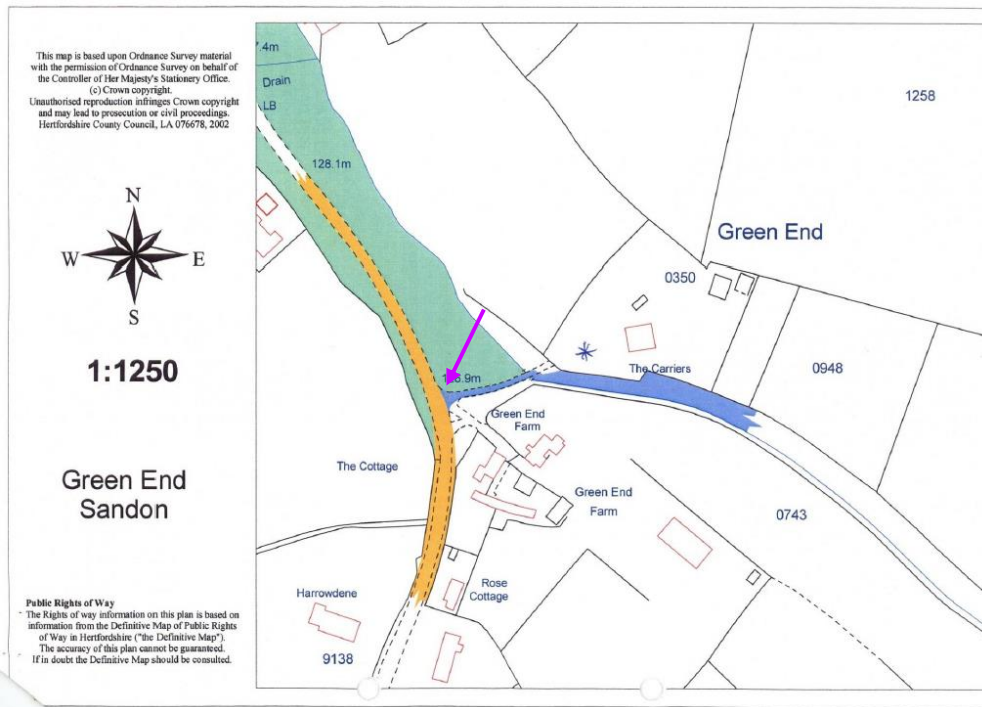
### **9.1 Why we consider these documents important**

Maintenance of a route by the public is strong evidence that it is a highway, although it should be noted that not all highways are automatically maintainable at public expense. However it is important not to confuse 'maintainable' (i.e. duty to maintain) with maintained (i.e. works done). It should also be noted that lack of maintenance of a route does not necessarily mean a route is not highway.

Any carriageways established after the Highways Act 1835 needed to be 'adopted' to show they were liable for repair at public expense. The Public Health Act 1925 required every urban authority to prepare a list of the streets within their district which were maintainable by the inhabitants at large. The Highways Act 1959 required the council of every borough and urban district to keep up to date a list of the streets within their area which were highways maintainable at public expense. Under the Highways Act 1980, the County Council is required to keep up to date a list of the streets within Hertfordshire which are highways maintainable at public expense. There are no rules or regulations about what information is required, or how it is to be presented or amended. The County Council holds this information as part of the Hertfordshire Roads Gazetteer, which is itself part of the Hertfordshire Roads Management Database. It is a record of what is maintainable, not necessarily what is maintained. It should be noted that whilst the information is referred to as the "List" of Streets', it is not held as a paper list but kept electronically.

If there is evidence that the application route was a vehicular highway, consideration of whether or not a route was recorded on HCC's List of Streets has to be given due to the effect of the Natural Environment and Rural Communities Act 2006 ('NERC'). NERC introduced legislation which automatically extinguishes all public mechanically propelled vehicle ('MPV') rights, unless they were exempted by one of the exceptions provided. One of these exceptions applies to routes that were recorded on HCC's List of Streets immediately before 2nd May 2006. Where there is evidence that a route was a vehicular highway, then under NERC the continued existence of any MPV rights will depend on whether this or any one of the other exceptions provided is met.

### **9.2 What is shown by these documents in the area of the application route?**



The highway boundaries plan shows highway maintainable at public expense in orange, registered common land in green and highway not maintainable at public expense in blue. It shows the application route from point 1 in blue and a zig-zag line indicates that it continues south east. The accompanying letter from HCC Land Charges department says that 'there is no information that the spur road leading to Carriers was ever adopted'. The letter explains that the categorisation of route 1-2 as highway not maintainable at public expense is based on it being uncoloured on the 1910 Inland Revenue map.

### 9.3 Decision

HCC decided these documents show that according to HCC Land Charges' records in 2002, route 1-2 is highway not maintainable at public expense. The information from HCC Land Charges is based on the information available at that moment, and may vary based on further research.

## User Evidence

### 10. Contemporary Evidence of Use

#### 10.1 Why we consider the evidence important

Evidence is generally provided through the completion of evidence questionnaires by users and from information provided by the owner of the land. User evidence may support historic evidence of a right of way. However, where there is no historic evidence of a route it is possible for a public right of way to come into existence if it can be shown that members of the public have used it 'as of right' without interruption (usually) for a period of 20 years. In order for the public's use of a route to have been 'as of right' it must have been:

- without force (e.g. not breaking down a fence to access the route)
- without secrecy (e.g. not just using the route when landowners were away)
- without permission (i.e. not having the permission of the landowner).

Unless there is historic evidence of rights as well, legislation requires there to be evidence of 20 years' use which ends with a 'date of challenge' (section 31 of the Highways Act 1980). The 'date of challenge' is the date at which the landowner challenges the use of the route e.g. by putting up a notice. Where there is no evidence that use has been challenged, section 31(7B) of the Highways Act 1980 specifies that the date of application should be used as the end of the 20 year period.

Under common law a right of way can also come into existence in less than 20 years if it can be shown that there was dedication of the route by the landowner and acceptance of the route by the public.

Under Section 31, after a period of 20 years use, it is presumed that a right of way has come into existence. Where a landowner can produce evidence to show that they have taken steps to prevent the accrual of new public rights of way through use of a route by the public, no such right will be dedicated. Such steps must be overt and make the public aware of the landowner's intentions. They can include placing and maintaining notices on site stating that the route is not public or that it is used with permission; by erecting and locking gates; or by telling people seen using the route that it is not public, etc.

In addition to placing notices on site, section 31(6) of the Highways Act 1980 (following on from the Rights of Way Act 1932) allows landowners to deposit a map and statement with the County Council showing the public rights of way across their land. Following this, declarations need to be made regularly to the effect that no additional ways have since been dedicated. It should be noted that making such deposits and declarations will not affect pre-existing rights.

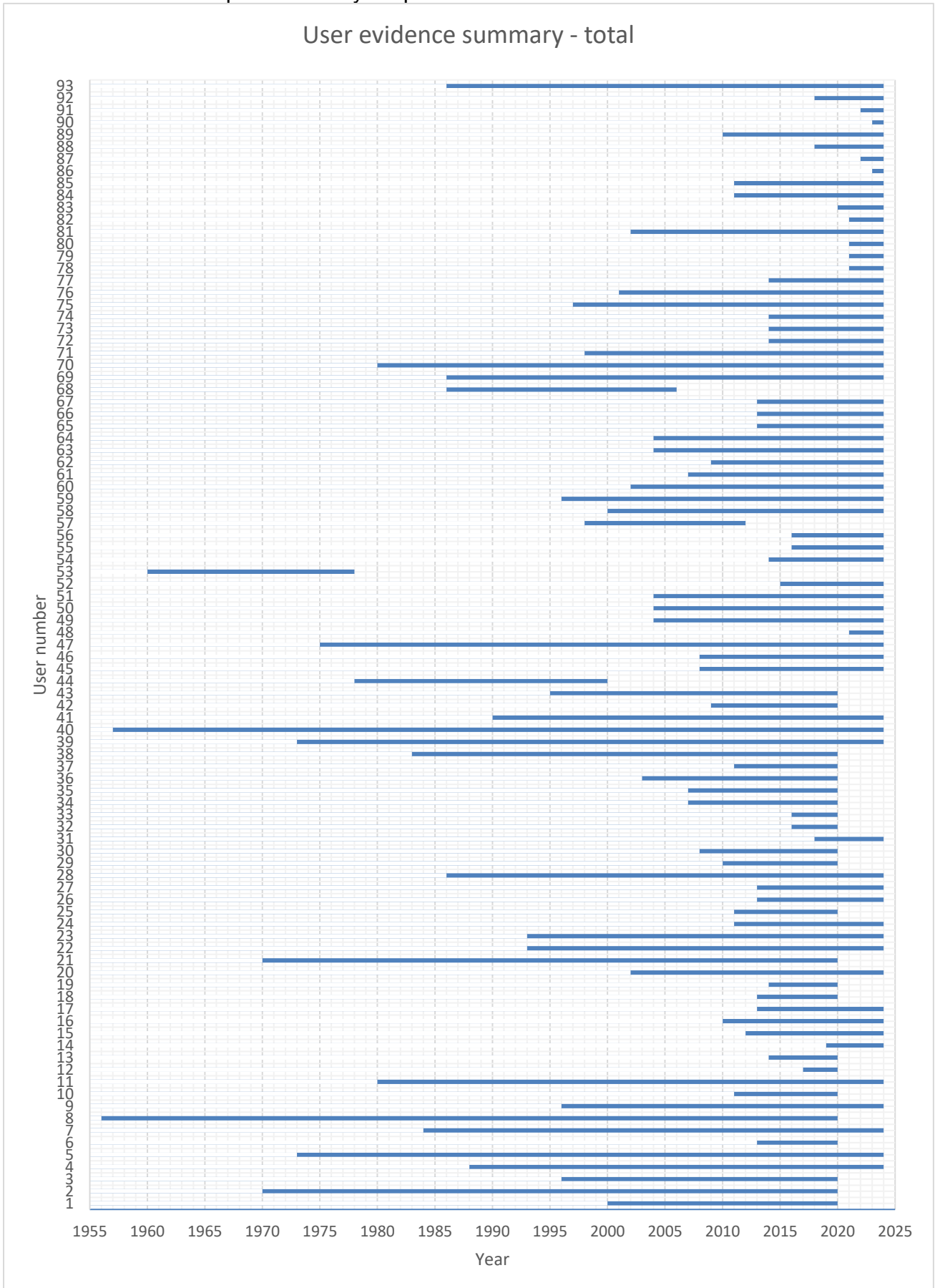
Below is a summary of the evidence we have received, including a table showing the information provided in the user evidence forms.

## **10.2 Summary of Evidence**

All of this evidence analysis applies to the Drovers Path application route only (points 1-2). 44 user evidence forms were submitted with the application in support of the Drovers Path application route.

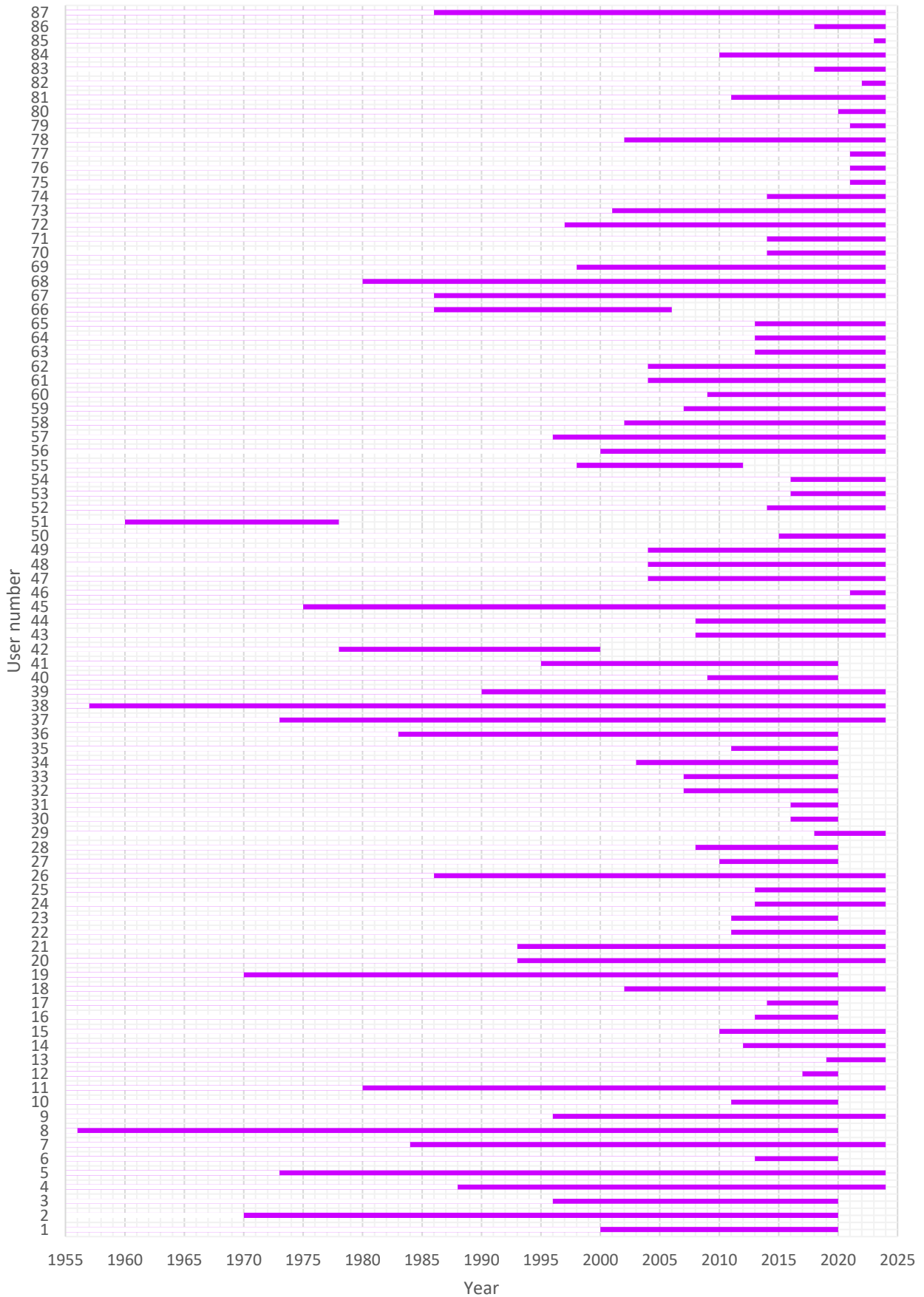
After consultation, HCC received user evidence forms from 48 more users, and second forms for 21 of the original users. This totals user evidence forms from 93 users.

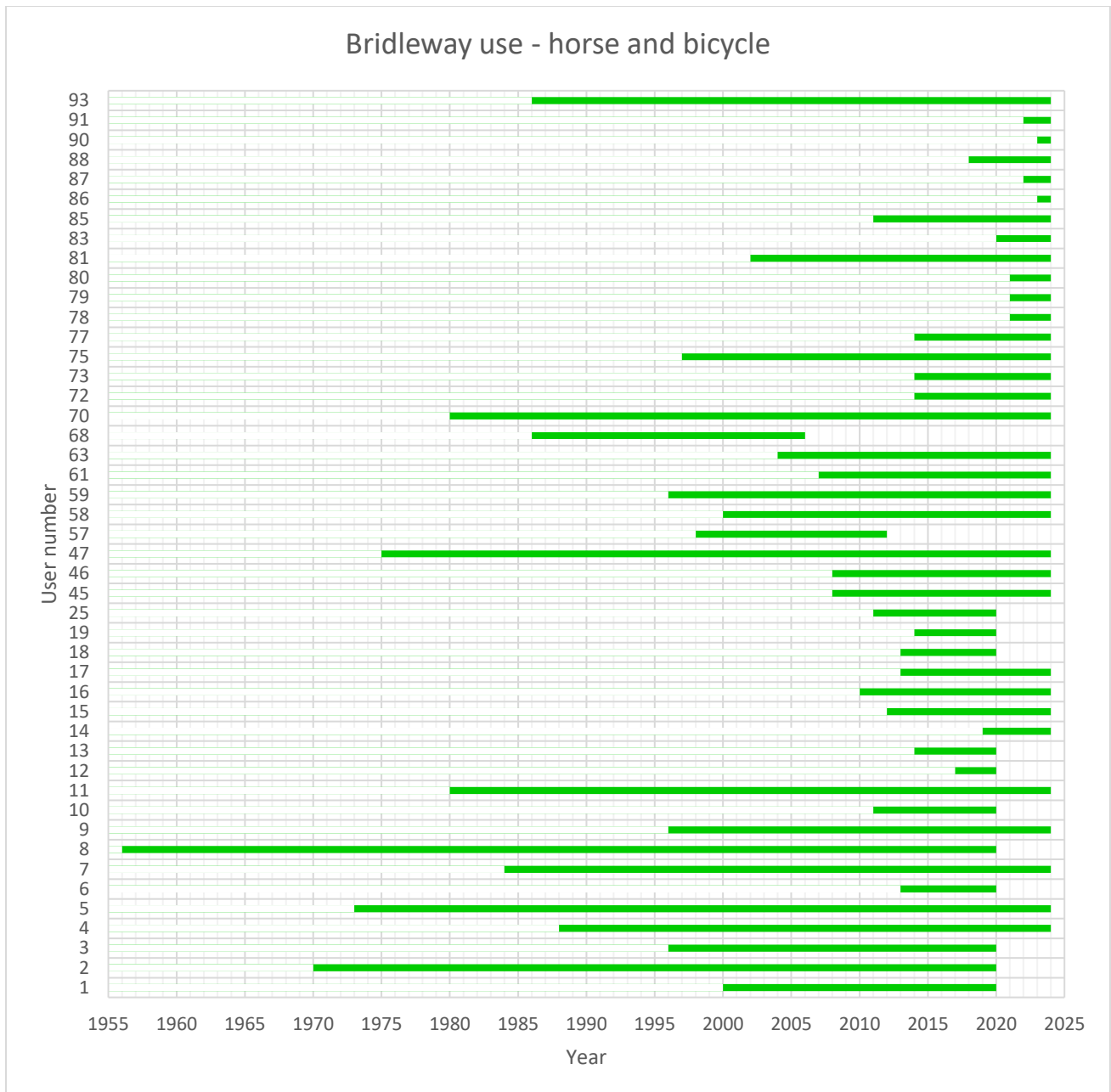
The use of the route spans the 68 year period from 1956 to 2024.





### Footpath use





Method of use

47 users used the route on foot only (footpath rights), including one who also used it on tractor and to drive cattle. This is counted as footpath rights as the user was exercising other private rights.

6 used the route on horseback only. 30 used the route on foot and on horseback. 5 used the route on foot, on horseback and on bicycle, including one who also used it on a tractor. 5 used the route on foot and on bicycle. This totals 46 users on a mix of foot, horseback and bicycle (bridleway rights).

Frequency of use

Of the users on foot only, 11 used daily, 19 used weekly, 16 used monthly and 1 used yearly.

Of the users on horseback and bicycle, 2 used daily, 31 used weekly and 13 used monthly. This totals 13 daily users, 50 weekly users, 29 monthly users and 1 yearly user.

Obstruction

One user was obstructed by fallen branches when using the route in a mobility scooter. No others users came across any obstructions on the route.

Challenge

None of the users have stated that they have been challenged for using the route. One neighbouring landowner claims to have challenged use by horse riders since 2010 (see section 11.2)

Permission

None of the users have been given permission to use the route or been employed by the owner (the ownership of the route is currently unknown – it is not registered at the land registry).

Notices

None of the users have seen any notices on the route.

Width

The application form claimed a width of 2.5m for the first 400m, then 4m. The user evidence forms most commonly claimed a width between 2.5-3m.

**10.3 Decision**

HCC decided the evidence of use from users in support of the Drovers Path application route (points 1-2) spans the 68 year period from 1956 to 2024. There has been frequent, open use on foot, horse and bicycle. None of the users who supplied evidence say that they have been challenged, however the neighbouring landowner claims to have challenged 'unauthorised horseriders' since 2010 (see section 11). This gives two different 20 year periods to be assessed, firstly running backward from the date of the application, that is 2000-2020, and secondly, taking the evidence of the neighbouring landowner that is 1990-2010.

2000-2020 – for footpath rights there were 3 daily users, 14 weekly users and 9 monthly users. For bridleway rights there were 7 weekly users and 8 monthly users. There was also significant use that did not span the whole 20 year period.

1990-2010 – for footpath rights there was 1 daily user, 9 weekly users and 6 monthly users. For bridleway rights there were 4 weekly users and 5 monthly users. There was also significant use that did not span the whole 20 year period.

HCC decided that although there is significant evidence of use, the route does not meet a public highway and does not lead to a 'place of popular resort', as is discussed in the case law *Moser vs Ambleside* 1925. The permissive bridleway that was in place at point 2 from 2000-2020 was by permission only which ended on 31<sup>st</sup> July 2020 (see section 11).

## 11. Landowner evidence

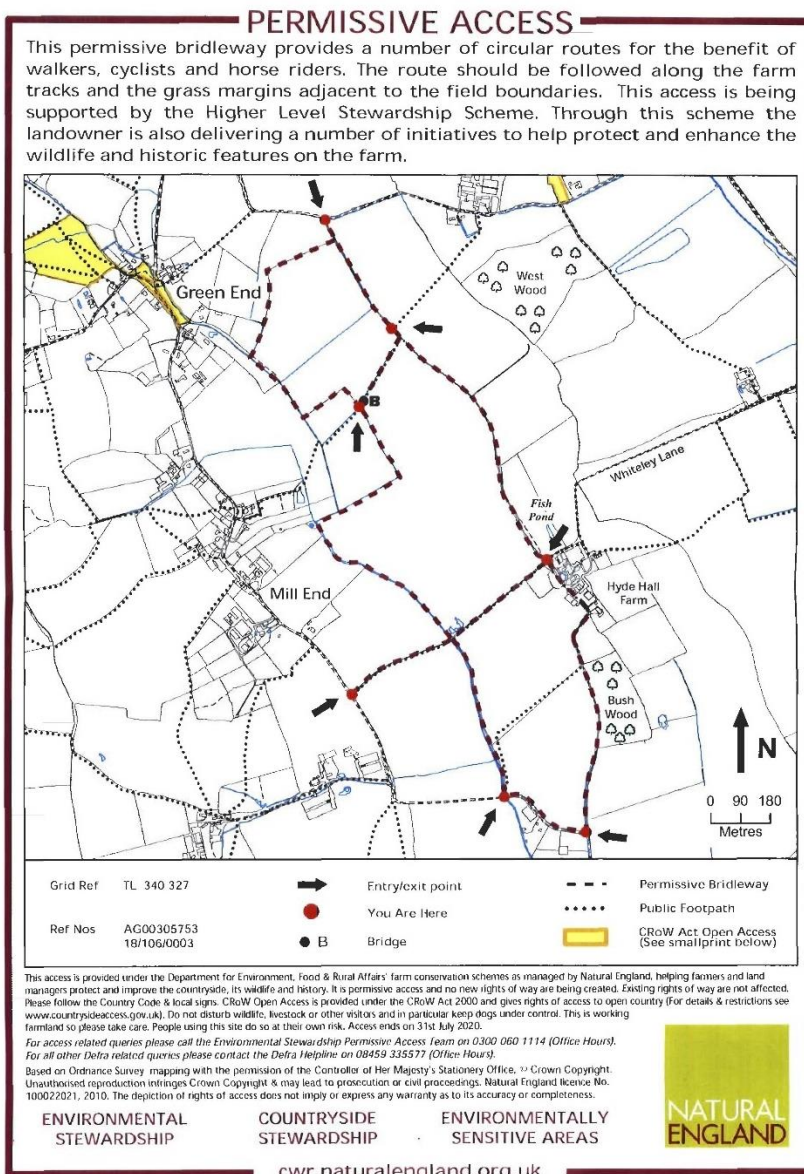
### 11.2 Summary of Evidence

The neighbouring landowners of the Carriers assert to challenging unknown riders after 2010. Evidence of this is provided by an extract of Sandon Parish Council’s objection to planning from 2020 referring challenges by the owners of The Carriers in ‘very recent years’. Users often declare that Mill End Equestrian Centre declared they could use the route.

They have record of a phone call on 5<sup>th</sup> December 2019 to Mill End Equestrian Centre, the next day receiving a visit in which the owner of the Equestrian centre warned them not to challenge liverers.

They question the credibility of the user evidence, particularly use on horse and bicycle, and the frequency and length of claimed use by certain users.

They claim that the permissive brideway at point 2 was withdrawn in July 2020, when signs were removed.





### **11.3 Decision**

HCC has only shared user evidence summaries redacted of personal data, so analysis based on the identification of specific users may not be accurate. The alleged date of challenge of 2010 produces a second 20 year period that is examined in section 10.3. HCC decided the permissive bridleways at Hyde Hall were established under Higher Level Stewardship (HLS) Permissive Access Scheme in 2010, the signage of which stated "Access ends on 31<sup>st</sup> July 2020".

## **Conclusion**

### **NH326 Drovers Path Sandon – Route 1-2**

The earliest evidence of the application route is on Bryant's Map of 1822, which showed route 1-2 as 'lanes and bridleways', and as a through route continuing to Hyde Hall. The Tithe Map of 1841 then shows the route excluded from tithe and ending in a dead end at a private field. It is not shaded sienna like other routes which are known public roads today, but there are other now public routes shown uncoloured in the same way, however they are not dead ends.

The Enclosure Award and Map of 1842 corresponds with the Tithe Map. The route is set out as the 7th 'private carriage road and driftway' twenty feet wide, going 'along the course of the ancient road' and the maintenance is split evenly between the owners of the four neighbouring fields. The route leads only to private fields owned by these four people. The route appears to be a dead end for public rights of way. We must now examine whether this is true. The Enclosure Award was made under the provisions of the 1801 Enclosure Act. Section 8 of the Act gave the commissioner the power to set out public roads, and required the certificate of two Justices of the Peace for the stopping up of ancient roads. Section 10 gave the commissioner the power to set out private roads and private or public footpaths, bridleways etc (according to the decision in "Andrews 2"). Section 11 stopped up all ancient routes not set out in the award.

The possibilities for the ancient route that was shown in Bryant's map are as follows:

- It was a bridleway, sometimes known as 'bridle road', and was stopped up by section 11 of the 1801 Act.
- It was a public road and required the certificate of two Justices of the Peace to be stopped up.

No certificate has been found. PINS consistency guidelines at section 7.2.25 says, "One consequence of the complexity of the inclosure process is that there may not be evidence to confirm that each stage in the process was completed in its entirety. It is, for example, frequently the case that records of declarations by Justices of the Peace are not available. Although an Inspector may usually rely on a presumption that the correct procedures were followed at the time unless there is evidence to the contrary, this cannot provide a remedy where it is reasonably certain that the legal requirements were not complied with. However an omission may not always be fatal to the case and it might be appropriate to consider the possibility that public acceptance of an awarded highway, if supported by the evidence, occurred nevertheless."

HCC decided that because there were two legal processes, the Tithe and the Enclosure, that produced maps one year apart that are consistent in showing the ancient route stopped up, the correct process was carried out and the ancient public rights were stopped up over route 1-2 and further southeast.

Regarding whether the driftway set out was public, “Andrews 2” says it is ‘not impossible’ for ‘private’ to apply only to the first item in a list, which means the driftway could be public, however the local context must be examined. In PINS Decision 516191, the Inspector stated that “the term ‘driftway’ does not mean that public bridleway rights exist”, so driftways are not always public. In the context of route 1-2, it is a dead end so there would be no reason for the public to use the driftway, and the only use would be for the four neighbouring landowners to drive animals between their fields and to the main road. Therefore, given that the ‘private carriage road and driftway’ is privately maintainable and is a dead end, HCC decided that it was entirely private.

The sales particulars from 1879 provide supporting evidence that the route was private, as it is referred to as a ‘private road’. The plans on the 1857 and 1888 particulars do not show the route as part of the sellable estates. The Ordnance Survey Maps provide no evidence for the status of the route, and the reference book to the 1878 edition labelled the land use ‘pasture’, so it did not have the appearance of a road.

The Inland Revenue Map of 1910 shows the application route uncoloured and excluded from hereditaments, so it was not valued in the survey. Usually this will be because the route has a public vehicular status, unless there is other contemporary evidence to indicate otherwise. PINS consistency guidelines at section 11.2.7. highlights that there may be other reasons why a route is excluded from hereditaments, “there are some cases of a private road set out in an inclosure award...for the use of a number of people but without its ownership being assigned to any individual, being shown excluded from hereditament.” This example is the same as route 1-2. This may have happened because the land was shared and there was no provision within the Act to record a linear feature with multiple owners or assigned users. It is necessary to consider the local context and the context of other historical evidence to explain why the route was uncoloured, and the Enclosure Award provides the explanation for why the route was uncoloured.

The documents after 1910 provided no further evidence for the route. Therefore, HCC decided that the historical evidence shows that the route is a private carriage road and private driftway for the use of and maintenance by the successors of the four landowners set out in the Enclosure Award. HCC then turned to consider the user evidence.

There is significant evidence of use of route 1-2 on foot, horseback and bicycle. Users claim not to have been challenged for using the route, however a neighbouring landowner claims to have challenged ‘unauthorised horseriders’ since 2010. This gives two potential 20 year periods to be examined, 2000-2020 (date of the application), and 1990-2010 (alleged date of challenge). There is significant use in both of these periods.

However, HCC is unable to make an Order to record a highway based on user evidence. This is because the route is a cul-de-sac as it does not meet a public highway, and it does not lead to a ‘place of popular resort’ such as a beauty spot as discussed in *Moser vs Ambleside* 1925. From 2010-2020 there was a permissive bridleway in place at point 2. This was established under the DEFRA HLS permissive access scheme and signage stated that access officially ended on 31<sup>st</sup> July 2020. Even if the permissive bridleway is

still in place, it is useable only by permission which can be revoked at any time, so it is not a permanent highway connection. The permissive route is not a 'place of popular resort' because it is not permanent and is accessible from several other public highways, so the application route is not the only means of access. HCC cannot record a dead end route that does not lead to a 'place of popular resort' on the Definitive Map based on user evidence.

**Therefore, HCC decided not to make an Order for route 1-2.**

### **NH162 Doebridge Farm to Sandon 23 – Route 3-4**

There is no evidence for the application route 3-4 prior to the Enclosure Award of 1842. In the Enclosure Award and Map the route is set out as the '6<sup>th</sup> public footway', running from an ancient enclosure called 'Olliphus Close' across a field called 'Hither Bury Mead' to Doebridge Farm. The footway set out encompasses part of what is now Footpath 23. No width is set out for the footway, nor for any of the other footways in the award. The Enclosure Award was made under the provisions of the 1801 Enclosure Act. The "Andrews 2" decision held that section 10 of the Act gave commissioners the power to set out public and private footways etc, so the application route was legally set out. Enclosure was a legal process directly concerning rights of way, so it is conclusive evidence that a public footpath was set out over route 3-4.

The OS map from 1878 shows the route with double pecked lines, in a slightly different position to what was set out in the Enclosure Award, running straighter and meeting Sandon Lane slightly north of the drive to Doebridge Farm. This is supporting evidence that the footpath was set out and accepted by the public. The sale particulars from 1888 show the route on the plan in the same way as in the 1878 OS map, providing supporting evidence that it was accepted by the landowner. The OS map from 1898 shows the route labelled F.P. and now in the same position as was set out in the Enclosure Award, which is further evidence that it was set out and accepted. On the Inland Revenue map, the route is shown on the 1898 OS base map within hereditament 88. The owner of hereditament 88 claimed a £50 tax deduction for 'public rights of way or user'. Although there are other known public rights of way within plot 88, as it was annotated on the base map it is very likely that this was one of the rights of way claimed. This is further evidence that the footpath was set out and accepted as public by the landowner.

However, in the OS 1923 edition, route 3-4 is no longer shown, and it is not shown on subsequent maps. Public rights of way can only be stopped up by legal order, and HCC has found no evidence of an Order stopping up route 3-4, therefore as the maxim 'once a highway always a highway' applies, a public footpath exists over route 3-4.

**Therefore, HCC decided to make an order to record a footpath along the application route 3-4. The route will be publicly maintainable by HCC. No width was set out in the Enclosure Award so HCC will record a width of 2 metres.**

Appendix – User Evidence Summary Table

File Ref: NH326 & NH162

User no.	Type of use	Frequency of use	Period of use	Obstructions	Notices	Have you ever been employed by or a tenant of the owner?	Challenge	Permission	Width	Comments
1	Foot Horse Bicycle	Weekly	2000 – 2020	No	No	No	No	No		
2	Foot Horse	Monthly	1970 – 2020	No	No	No	No	No		
3	Foot Horse	Weekly	1996 – 2020	No	No	No	No	No		
4	Foot Horse	Weekly	1988-2024	No	No	No	No	No	2.5-3m	1 <sup>st</sup> form 2009-2020, 2 <sup>nd</sup> form 1988-2024
5	Foot Horse Bicycle	Daily (F) Weekly (H) Yearly (B)	1973 – 2024	No	No	No	No	No	2-3m	
6	Foot Horse	Weekly	2013 – 2020	No	No	No	No	No		
7	Foot Horse	Weekly (F) Monthly (H)	1983 – 2020	No	No	No	No	No	3-4m	
8	Foot Horse Bicycle Tractor	Monthly	1956 – 2020	No	No	No	No	No		
9	Foot Horse Bicycle	Weekly	1996 – 2024	No	No	No	No	No	2.5-3.5m	



User	Type	Frequency	Period	Obstructions	Notices	Employed	Challenge	Permission	Width	Comments
10	Foot Horse	Weekly	2011 – 2020	No	No	No	No	No		
11	Foot Horse	Weekly	1980 – 2024	No	No	No	No	No	2.5-3.5m	
12	Foot Horse	Weekly	2017 – 2020	No	No	No	No	No		
13	Horse	Weekly	2014 – 2020	No	No	No	No	No		
14	Foot Horse	Monthly (F) Daily (H)	2019 – 2024	No	No	No	No	No	2.5-3m	
15	Foot Horse	Weekly (F) Monthly (H)	2012 – 2024	No	No	No	No	No	2.5-3m	1 <sup>st</sup> form 2007-2020. 2 <sup>nd</sup> form 2012-2024.
16	Horse	Weekly	2007 – 2024	No	No	No	No	No	2.5-3m	
17	Horse	Weekly	2012 – 2020	No	No	No	No	No		
18	Foot Horse	Weekly	2013 – 2020	No	No	No	No	No		
19	Foot Horse	Weekly	2014 – 2020	No	No	No	No	No		
20	Foot	Daily	200-2024	No	No	No	No	No	3-4m	
21	Foot	Monthly	1970 – 2020	No	No	No	No	No		
22	Foot	Daily	1993 – 2024	Fallen branches prevent passing in mobility scooter	No	No	No	No	2-3m	Believes it is an unregistered lane used as FP and for small farm machinery.

User	Type	Frequency	Period	Obstructions	Notices	Employed	Challenge	Permission	Width	Comments
										Maintained with ride on mower.
23	Foot	Daily	1993 – 2024	No	No	No	No	No	2.5-3m	Asked neighbours and nobody seemed to own it. Livery stables in Mill End and permissive bridleway at Hyde Hall increased use by horses.
24	Foot	Daily	2011 – 2024	No	No	No	No	No	2.5-3m	Sometimes maintains route.
25	Foot Bicycle	Weekly	2011 – 2020	No	No	No	No	No		
26	Foot	Weekly	2013 – 2024	No	No	No	No	No	2-3m	
27	Foot	Weekly	2013 – 2024	No	No	No	No	No	2-3m	
28	Foot	Monthly	1986 – 2024	No	No	No	No	No	2.5-3.5m	
29	Foot	Weekly	2010 – 2020	No	No	No	No	No		
30	Foot	Monthly	2008 – 2020	No	No	No	No	No		
31	Foot	Weekly	2018 – 2024	No	No	No	No	No	2.5-3.5m	
32	Foot	Monthly	2016 – 2020	No	No	No	No	No		

User	Type	Frequency	Period	Obstructions	Notices	Employed	Challenge	Permission	Width	Comments
33	Foot	Weekly	2016 – 2020	No	No	No	No	No		
34	Foot	Monthly	2007 – 2020	No	No	No	No	No		
35	Foot	3 or 4 times a year	2007 – 2020	No	No	No	No	No		
36	Foot	Monthly	2003 – 2020	No	No	No	No	No		
37	Foot	Weekly	2011 – 2020	No	No	No	No	No		
38	Foot	Weekly	1983 – 2020	No	No	No	No	No		
39	Foot	Weekly	1973 – 2024	No	No	No	No	No	2.5-3m	
40	Foot	Weekly	1957 – 2024	No	No	No	No	No	1.5m	
41	Foot	Weekly	1990 – 2024	No	No	No	No	No	2.5-3m	1 <sup>st</sup> form 1985-2020. 2 <sup>nd</sup> form 1990-2024.
42	Foot	Daily	2009 – 2020	No	No	No	No	No		
43	Foot	Weekly	1995 – 2020	No	No	No	No	No		
44	Foot Tractor Move cattle	Weekly	1978-2000	No	No	No	No	No		Walking dogs, tractor to collect straw, moving cattle to Hyde Hall
45	Foot Bicycle	Daily (F) Weekly (B)	2008-2024	No	No	No	No	No	2.5-3m	

User	Type	Frequency	Period	Obstructions	Notices	Employed	Challenge	Permission	Width	Comments
46	Foot Bicycle	Daily (F) Weekly (B)	2008- 2024	No	No	No	No	No	2.5-3m	
47	Foot Bicycle	Weekly (F) Monthly (B)	1975- 2024	No	No	No	No	No	Useabl e 3- 12ft, up to 20ft total	
48	Foot	Weekly	2021- 2024	No	No	No	No	No	2-3m	
49	Foot	Monthly	2004- 2024	No	No	No	No	No	2.5-3m	
50	Foot	Weekly	2004- 2024	No	No	No	No	No	2.5-3m	
51	Foot	Monthly	2004- 2024	No	No	No	No	No	2.5-3m	
52	Foot	Daily	2015- 2024	No	No	No	No	No	2.5-3m	
53	Foot	Monthly	1960- 1978	No	No	No	No	No	2.5-3m	
54	Foot	Daily	2014- 2024	No	No	No	No	No	2.5-3m	
55	Foot	Weekly	2016- 2024	No	No	No	No	No	2.5- 3.5m	
56	Foot	Weekly	2016- 2024	No	No	No	No	No	2.5- 3.5m	
57	Foot Horse	Monthly (F) Weekly (H)	1998- 2012	No	No	No	No	No	2.5- 3.5m	
58	Foot Horse	Monthly	2000- 2024	No	No	No	No	No	2.5- 3.5m	

User	Type	Frequency	Period	Obstructions	Notices	Employed	Challenge	Permission	Width	Comments
59	Foot Horse Bicycle	Monthly	1996- 2024	No	No	No	No	No	2.5- 3.5m	
60	Foot	Monthly	2002- 2024	No	No	No	No	No	1-3m	
61	Foot Horse	Monthly	2007- 2024	No	No	No	No	No	2.5- 3.5m	
62	Foot	Monthly	2009- 2024	No	No	No	No	No	2.5- 3.5m	
63	Foot Horse	Monthly (F) Weekly (H)	2004- 2024	No	No	No	No	No	2.5- 3.5m	
64	Foot	Monthly	2004- 2024	No	No	No	No	No	2.5- 3.5m	
65	Foot	Daily	2013- 2024	No	No	No	No	No	2.5- 3.5m	
66	Foot	Daily	2013- 2024	No	No	No	No	No	2.5- 3.5m	
67	Foot	Daily	2013- 2024	No	No	No	No	No	2.5- 3.5m	
68	Foot Bicycle	Monthly	1986- 2006	No	No	No	No	No	2.5- 3.5m	
69	Foot	Monthly	1986- 2024	No	No	No	No	No	2.5- 3.5m	
70	Foot Horse	Weekly	1980- 2024	No	No	No	No	No	2.5- 3.5m	Believed to be old drover's road
71	Foot	Weekly	1998- 2024	No	No	No	No	No	2.5-3m	
72	Horse	Weekly	2014- 2024	No	No	No	No	No	2.5-3m	



User	Type	Frequency	Period	Obstructions	Notices	Employed	Challenge	Permission	Width	Comments
73	Foot Horse	Monthly (F) Weekly (H)	2014-2024	No	No	No	No	No	2.5-3m	
74	Foot	Monthly	2014-2024	No	No	No	No	No	2.5-3m	
75	Foot Horse	Monthly	1997-2024	No	No	No	No	No	2.5-3m	
76	Foot	Monthly	2001-2024	No	No	No	No	No	2.5-3m	
77	Foot Horse	Monthly (F) Weekly (H)	2014-2024	No	No	No	No	No	2.5-3m	
78	Foot Horse	Monthly (F) Weekly (H)	2021-2024	No	No	No	No	No	2.5-3m	
79	Foot Horse	Monthly (F) Weekly (H)	2021-2024	No	No	No	No	No	2.5-3m	
80	Foot Horse	Monthly (F) Weekly (H)	2021-2024	No	No	No	No	No	2.5-3m	
81	Foot Horse	Monthly (F) Weekly (H)	2002-2024	No	No	No	No	No	2.5-3m	
82	Foot	Monthly	2021-2024	No	No	No	No	No	2.5-3m	
83	Foot Horse	Weekly	2020-2024	No	No	No	No	No	2.5-3m	
84	Foot	Daily	2011-2024	No	No	No	No	No	2-4m	Sometimes maintains route.
85	Horse	Weekly	2011-2024	No	No	No	No	No	2.5-3m	Reaches road quicker than other bridleways
86	Horse	Weekly	2023-2024	No	No	No	No	No	2.5-3m	
87	Foot Horse	Monthly (F) Weekly (H)	2022-2024	No	No	No	No	No	2.5-3m	

User	Type	Frequency	Period	Obstructions	Notices	Employed	Challenge	Permission	Width	Comments
88	Foot Horse	Weekly	2018-2024	No	No	No	No	No	2.5-3m	
89	Foot	Weekly	2010-2024	No	No	No	No	No	2.5-3m	
90	Foot Horse	Weekly	2023-2024	No	No	No	No	No	2.5-3m	
91	Horse	Monthly	2022-2024	No	No	No	No	No	2.5-3m	
92	Foot	Weekly	2018-2024	No	No	No	No	No	2.5-3.5m	
93	Foot Horse	Monthly	1986-2024	No	No	No	No	No	2.5-3.5m	