

**DEFINITIVE MAP MODIFICATION ORDER APPLICATION TO UPGRADE QUARNFORD PARISH FOOTPATH 18 TO A RESTRICTED BYWAY**

**STAFFORDSHIRE MOORLANDS BRIDLEWAYS GROUP STATEMENT AND EVIDENCE IN SUPPORT OF THE APPLICATION**

**STAFFORDSHIRE COUNTY COUNCIL REFERENCE 016104DW**

**PLANNING INSPECTORATE DIRECTION DECISION REFERENCE FPS/D3450/14D/129**

**THE APPLICATION**

This application was submitted to Staffordshire County Council by Mrs Louise Redfern on behalf of Staffordshire Moorlands Bridleways Group (SMBG) and was accepted by the Council on 11 April 2018.

SMBG applied to the Secretary of State for Housing, Communities and Local Government on 16 June 2019 for the issue of a Direction for this application to be decided by the County Council. On 14 October 2019 the Secretary of State, through the Planning Inspectorate, directed the County Council to determine this application not later than 6 months from the date of this decision i.e 13 April 2020

**THE ROUTE**

The description of the route of Quarnford FP 18 is as follows:

The eastern end of the route commences at the junction of Moss Bar and Turn O'th Rake roads in Quarnford Parish and the northern end of the route terminates at a County Road north of Gradbach House Farm in Quarnford Parish.

**ADDITIONAL HISTORICAL EVIDENCE**

The following additional historical evidence is submitted by Staffordshire Moorlands Bridleways Group in support of this application:-

**Alstonefield Enclosure Award and map dated 1839**

Appendix 1 is a transcript of an extract of Alstonefield Enclosure Award. Part of the route is described under the heading "Carriage and Drift Roads". This route is called Stone Pit Road. The route is described as "for the use of all persons whose Lands adjoin the same or who may require or think proper or have occasion to use the same"

Appendix 2 is an extract of the Enclosure Award map for Quarnford. The western section of Quarnford FP 18 follows the route of Stone Pit Road.



## Local Government Act 1929 Handover Map and Schedule

The County Council took over the responsibilities of Rural District Councils on 1 April 1930 by virtue of the Local Government Act 1929. Handover maps and schedules were produced for this purpose.

The Handover Schedule does not list individual roads. Appendix 3 is an extract of the Schedule for Rural District Roads. This shows that Quarnford Parish has 5.4 miles of "Scheduled Roads, Waterbound" and 13.5 miles of "Other Roads, Waterbound, Gravel or Flint etc". The Schedule makes no mention of footpaths or bridleways.

The 1929 Handover Map for Leek Rural District Council, shows the route of Quarnford FP 18 as a blue line. Other routes in the vicinity are shown either as blue or black lines. There is no map key. Appendix 4 is an extract of the Handover Map for the Quarnford area. However, as the Handover Schedule lists two types of roads i.e. "Scheduled Roads, Waterbound" and "Other Roads, Waterbound, Gravel or Flint etc" then this is good evidence that Quarnford FP 18 was in one of these categories.

As there is no map key, SMBG has assigned letters of the alphabet to routes marked by blue or black lines on the larger scale extract of Quarnford area of the Handover Map in order to ascertain the status of these routes. This is shown in Appendix 5.

The same letters of the alphabet have also been marked on a current Ordnance Survey map of the same locality. This is shown in Appendix 6.

Appendix 7 lists these routes A-N, giving their names and current status. Quarnford FP 18 is the **only** route listed that is of footpath status, all other routes are Highways Maintained at Public Expense and have C, D or G classifications. There is no indication of the handover of any footpaths or bridleways apart from this route and all other routes shown in the same way on the plan are recorded as "ordinary" public roads today.

As the county surveyor would be unlikely to take on additional maintenance responsibility unnecessarily, the showing of a route on a handover map is good evidence that at that time a route was considered to have public vehicular rights.

In view of this evidence, SMBG does not agree with the County Council's comments in paragraphs 10 - 16 of its draft report to the CROW Panel that that Handover Maps and Schedules provided in support of the application to upgrade Quarnford FP 18 merely shows that the County were responsible for maintenance of the route and that no type of public user can be attributed to this documentation.

## Ordnance Survey Maps

Appendix 8 shows of 1 inch to 1 mile scale 1953 Ordnance Survey map extracts of the route of Quarnford FP 18, together with a map key. The map key shows the route marked as "Minor roads in towns, Drives and unmetalled roads (Unfenced roads shown by pecked lines). Other editions of Ordnance Survey maps shown the route marked in the same way.



## **CONCLUSION**

Staffordshire Moorlands Bridleways Group believes in view of the evidence provided, that on the balance of probability, the route has a higher public status than footpath, and that the Definitive Map of Public Rights of Way should be modified to show this route as a restricted byway.

Julie Turner  
Rights of Way Officer  
Staffordshire Moorlands Bridleways Group

20 December 2022

## **APPENDICES**

- Appendix 1 Transcript of an extract of Alstonefield Enclosure Award
- Appendix 2 Extract of the Alstonefield Enclosure Map for Quarnford
- Appendix 3 Extract of the 1929 Handover Schedule for Rural District Roads for Quarnford Parish
- Appendix 4 Extract of the 1929 Handover Map for the Quarnford area.
- Appendix 5 Enlarged extract of 1929 Handover Map for the Quarnford area with letter of the alphabet assigned to blue or black routes
- Appendix 6 Current Ordnance Survey map for the Quarnford area with identical letters of the alphabet assigned to blue or black routes on 1929 Handover Map
- Appendix 7 List of routes A-N giving name and current status
- Appendix 8 Extracts of 1 inch to 1 mile scale 1953 Ordnance Survey map extracts of the route of Quarnford FP 18 and map key.



**ALSTONEFIELD ENCLOSURE AWARD 1839**

**Source: Staffordshire Record Office**

**Ref: D6827/9/1**

**Extract**

**Carriage and Drift Roads**

**“And** we hereby set out the several Carriage Roads hereinafter particularly mentioned and which we direct for ever hereafter to lie and remain of the several widths following that is to say.

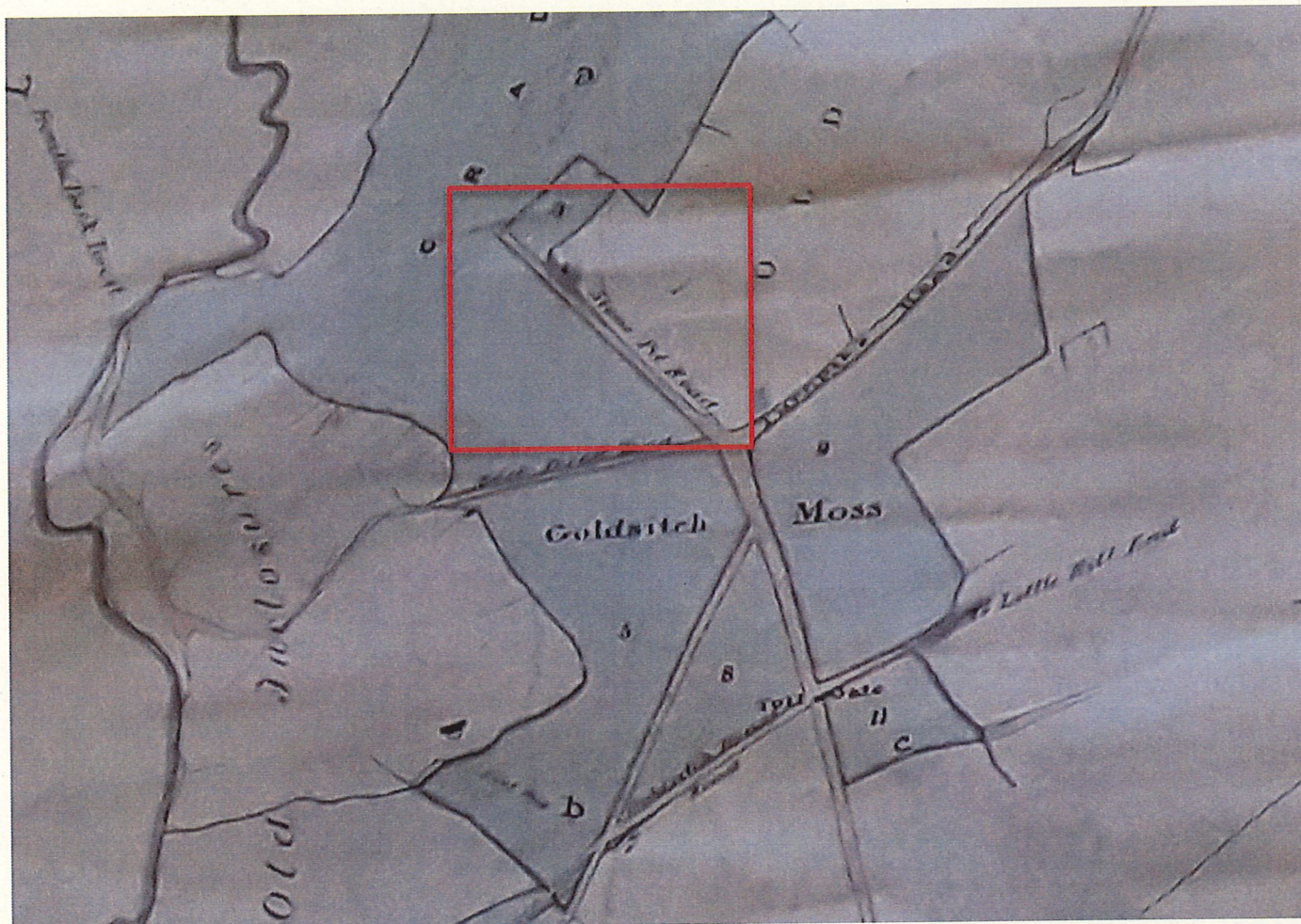
**One** other Carriage and Drift Road in the said Township of Quarnford to be called Stone pit road to be and remain of the width of Eighteen feet leading out of the Turnpike Road on Goldsitch Moss in a Westwardly direction to the Stone pit on Gradbach Common.

Which said three last mentioned roads We do hereby set out and appoint for the use of all persons whose Lands adjoin the same or who may require or think proper or have occasion to use the same And we do hereby also Order and direct that the said three roads last mentioned shall be made and for ever hereafter supported and kept in repair by and at the expense of the several owners and occupiers for the time being of the lands and hereditaments within the said Township of Quarnford by a General Rate or Assessment according to the value thereof respectively “



ALSTONEFIELD ENCLOSURE Map 1839  
Source: Staffordshire Record Office  
Ref: D6827/9/1

Extract



Stone Pit Road is within red box



Local Government Act 1929  
 Leek Rural District Council - Handover map and Schedule  
 Source: Staffordshire Record Office Ref CRd/19/1/34

Extract of Schedule for Rural District Roads

MILEAGE OF PUBLIC HIGHWAYS—continued.

### RURAL DISTRICT ROADS (not Main Roads).

Scheduled Road No. on Plan.	Route No.	Name of Road. PARISH	1st Class		2nd Class		Scheduled Roads.		Other Roads.			Total Mileage.
			Miles.	Miles.	Miles.	Miles.	Tarmacadam	Waterbound	Tar or Bituminous Macadam	Granite	Gravel or Flint etc.	
1												
2		BAGWELL BRADNAP					2.82 .18					11 7
3		BUTTERTON					.70					4
4		ENDONS STANLEY					.70					10
5		FAWFTHEDHEAD					4.43					14½
6		GRINDON					2.00					8½
7		HEATHVILLE					2.32					12
8		HEATON					4.41					13½
9		HOLLINGSLOUGH					.11					14½
10		HORTON & HORTON HAY					4.27					24½
11		LEEFRIITH					1.20					14
12		LONGNOR					2.41					3
13		LONGSDON					.66					9½
14		LOWE					2.29					7
15		MORTON IN THE MOORS					4.05					21
16		OMEGOTT										10½
17		QUARWOLD					5.40					13½
18		RUDYARD					4.10.					3
19		RUSHION JAMES					2.50					8
20		RUSHTON SENCER					2.20					10
21		SHELM					4.30					5
22		TITTESWORTH					2.20.					5



Local Government Act 1929  
Handover Map Leek Rural District Council - extract of Quarnford area  
Source: Staffordshire Record Office Ref: CRd/19/1/34

