

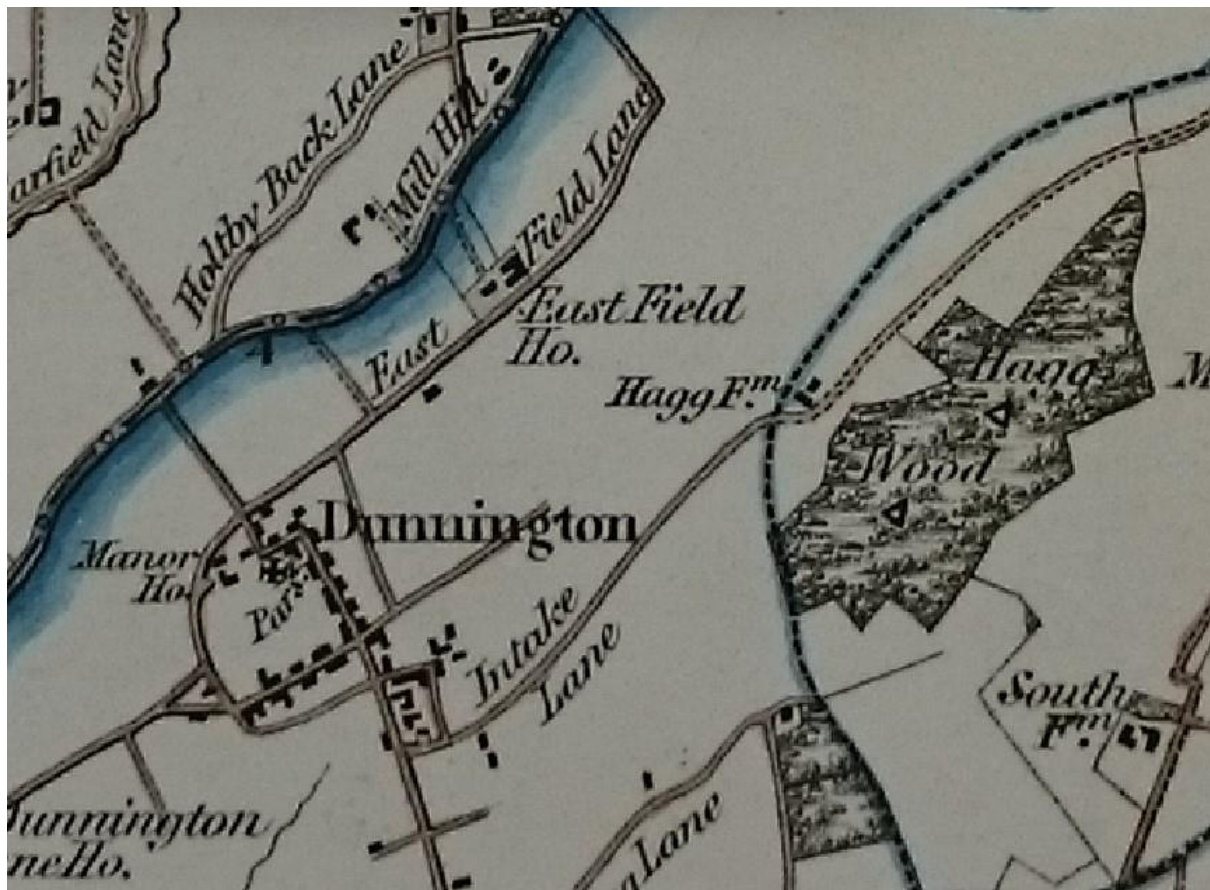
DMMO Evidence for a Bridleway Running North from Eastfield Lane to a Remaining Length of the Turnpike Road in the Parish of Dunnington.

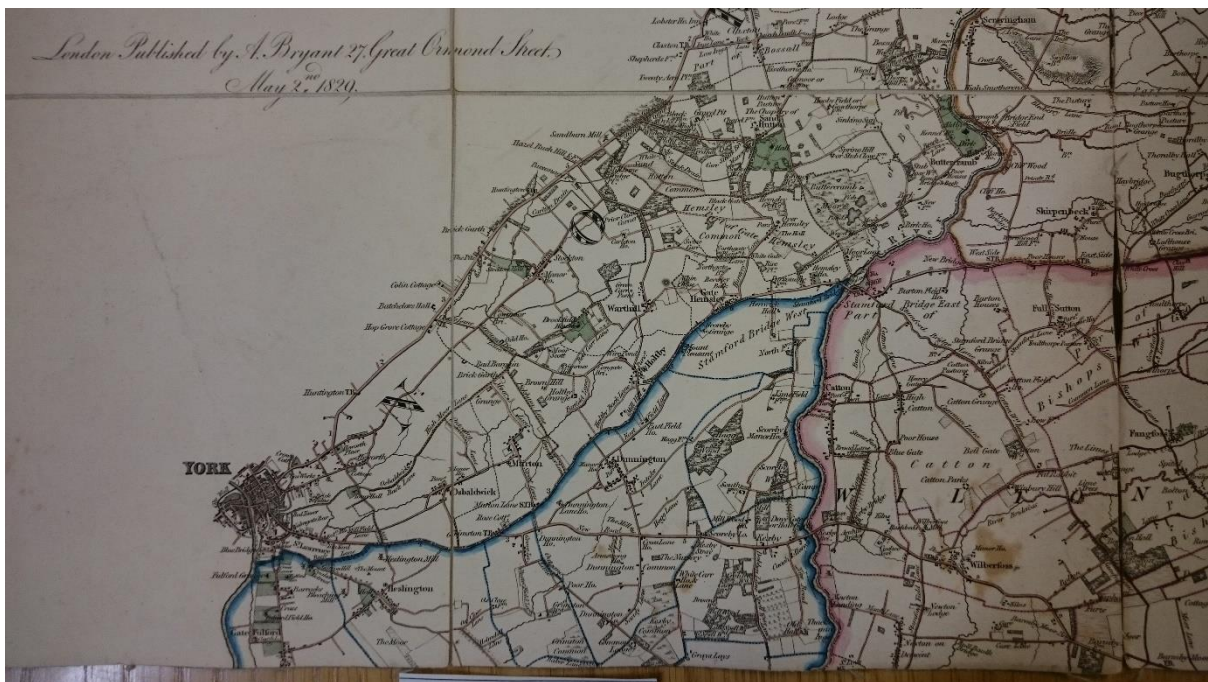
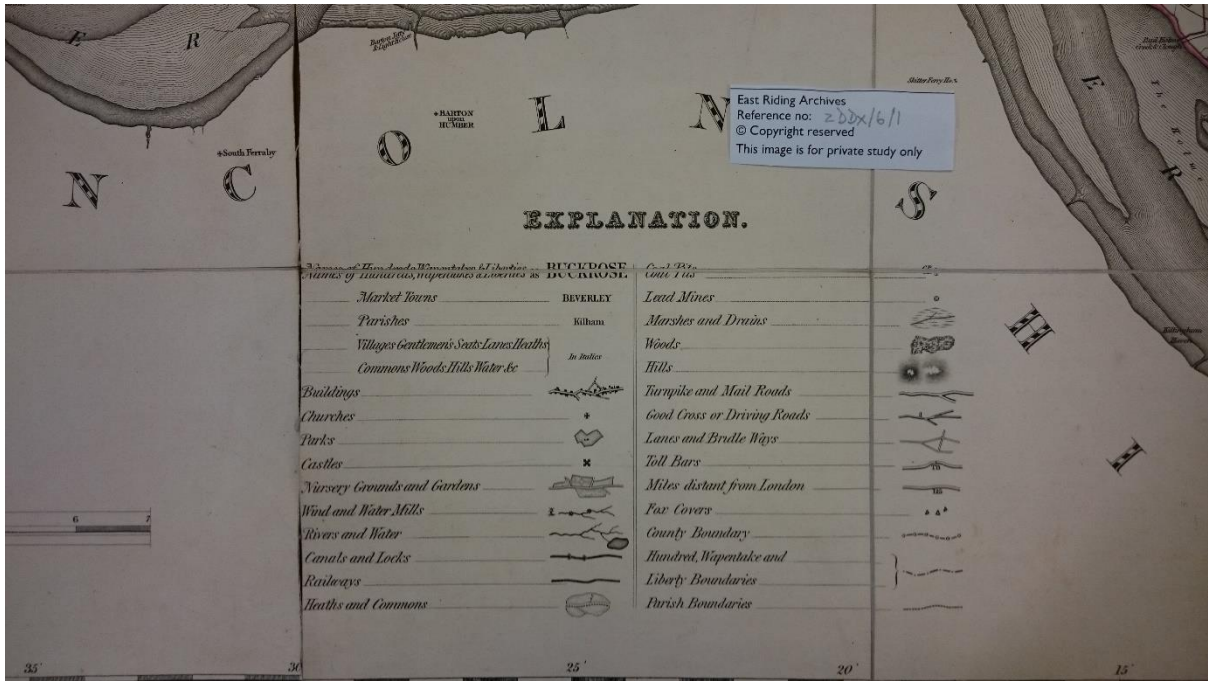
Presented by: British Horse Society c/o Catriona Cook MBE

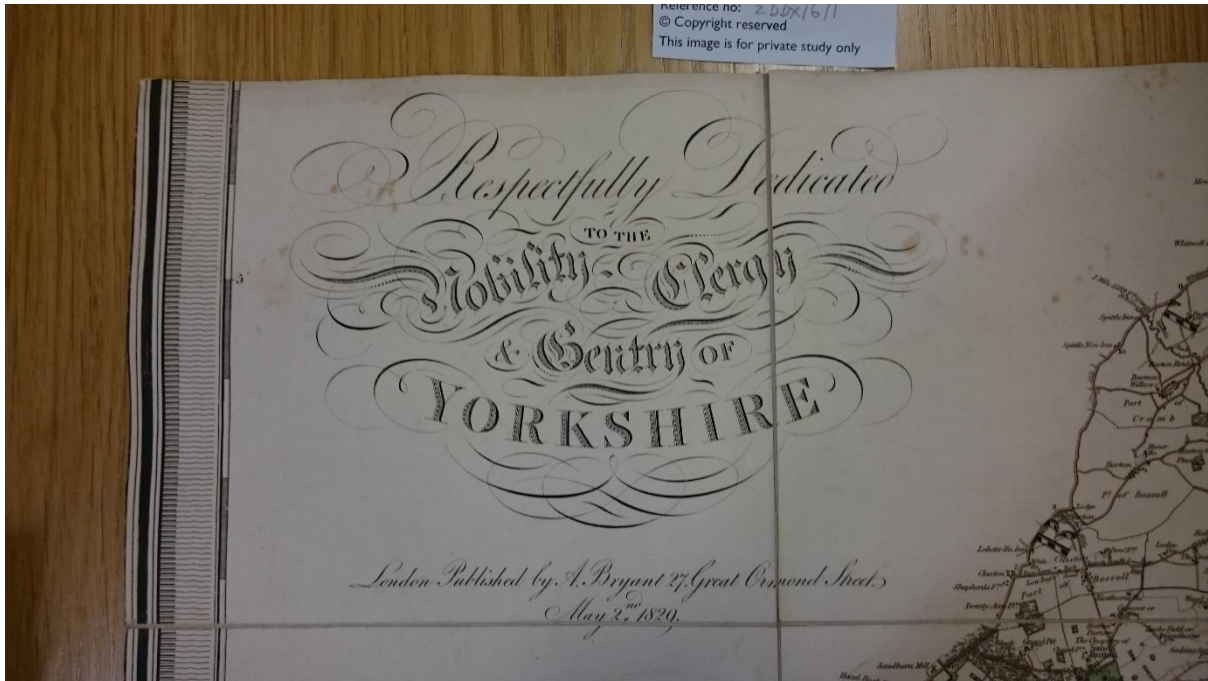
Historically there was a bridle road and a footpath in the same area, between the two roads, called Mill Hill. By the time of the definitive map, the memory of horses taking corn to the mill had receded. So only the footpath survived to be recorded on the definitive map. The evidence is presented in chronological order and some maps have been magnified for clarity.

1829 Bryant's Map of the East Riding of Yorkshire zDDX/6/1 Beverley Archives

The application route is shown as running from the "E" of Eastfield Lane, across to the Stamford Bridge road and depicted as "*Lanes or Bridle Roads*". Which is backed up by the Tithe map ten years later.





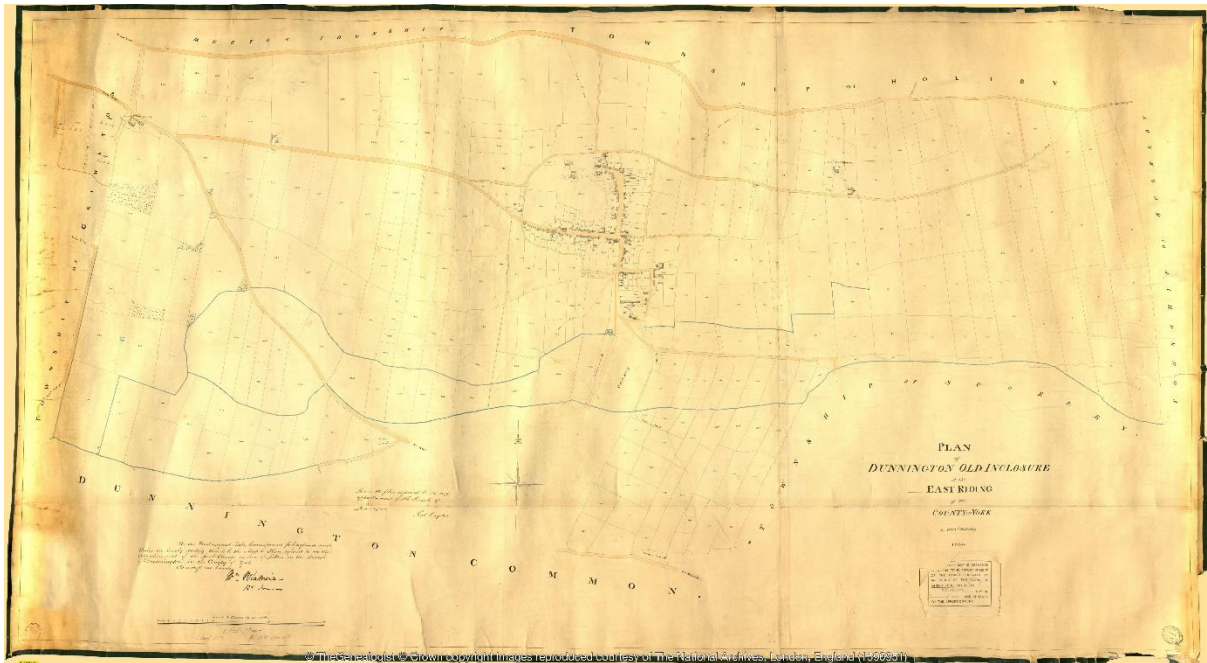


1838 Dunnington Tithe

Genealogist website

The application route is labelled "Bridle Road" and the tithe was a legal document.





Instructions to OS Field Examiners (Surveyors) 1905: The Disclaimer: I was told by my father (who had a photographic memory and was brought up by his grandfather born in 1842) that this was purely to remove the likelihood of the Ordnance Survey being brought into civil litigation. This is backed up by **The Countryside Companion in 1948** at p320 where it states *“In practice the qualifying statement of the Ordnance Survey may be regarded as a safeguarding clause to absolve them from being involved in any footpath litigation.....A path which is shown, may, however, generally be presumed public.”*

It should be remembered that the surveying for the first OS maps was a very public business. The public went out to observe and in the days of proper community spirit, all the parish would have known what was going on. There was no public outcry from landowners about the roads, bridleways and footpaths shown across their land

Despite the disclaimer on all OS maps and the fact that the surveyors were not to investigate into public status, in effect they did, since for both the Boundary Remark Books and the Object Names Books, they consulted the Surveyor of Highways, landowners and other professional men. From 1836 it was a statutory obligation to keep highway records, of which the Surveyor of Highways must have had intimate knowledge. OS surveyors were also instructed, as shown below, to show routes that were **“of use or interest to the public”**, and to only show a clearly marked track if **“it is in obvious use by the public”**. The application route was shown, since it was **“in obvious use by the public”**.

Mere convenience footpaths for the use of a household, cottage, or farm; or for the temporary use of workmen, should not be shown; but paths leading to any well-defined object of use or interest, as to a public well, should be shown.

N.B.—A clearly marked track on the ground is not in itself sufficient to justify showing a path, unless it is in obvious use by the public.

The instruction as regards the notation **FP** below, infers that all roads shown were public, since the letters FP were to distinguish those roads which were not suitable for horses and wheeled traffic.

Except in gardens, or where the omission is not likely to mislead, the initials F.P. should be inserted to foot-paths, with the object of avoiding the chance of their being mistaken on the plans for roads traversable by horses or wheeled traffic.

OS maps were used by the public for navigational purposes from the first editions in the mid 1800's. This means that for over 100 years what was shown was regarded as public. I spent my youth from the mid 1950's to the late 1970's navigating around 7 different counties with OS maps which did not show rights of way information. The instigation for a definitive map was not because the public were being denied access to the minor road network; but that they were losing the undefined cross field bridle and footpaths.

Use of Ordnance Survey Maps by the Public: I was also brought up that all routes on the 2 ½" OS maps were public as verified by the **Director General of the OS, Brigadier Winterbotham**, who must have known the legal situation, who said in **A Key to Maps in 1936** *"We are almost, without exception, interested in rights of way, either as landowners or as seekers after fresh air and exercise. But these are best seen on the six-inch plans, and are now being officially investigated on them."*

Whilst discussing the First Edition one inch map *"but the roads are easy to follow.....and, what must have been a serious drawback, footpaths and inns are not shown."* Which means the application route could not be a footpath, and was depicted as a road.

This shows that these maps were accurate for navigational purposes and that the BR on the 6" OS maps meant that they were bridgeroads for the public to use.

I was also told that bridlegates were evidence of a public route. This is endorsed by **Gilcraft in Exploring in 1930** *"As a general rule a stile is good evidence of the existence of a public path, and so are bridle or wicket gates or other erections to facilitate the passage of the public"*

The Great Outdoors in 1931 exhorts one to *"go through the first bridle-gate that invites you."* And when referring to the 1" OS map states *"....they show all roads down to the merest cart-track, most bridle-ways....."* inferring that they are of use to the public.

The Countryside Companion in 1948 reiterates the use of the 1" OS map and the 2" OS map for cyclists stating p 36 *"these do not indicate footpaths, they do show all roads, lanes..."* inferring that these were public.

Map of a Nation 2010: quotes a map lover from **1862** who could *"stand an hour at a time.....tracing a good run, or, if that wasn't his line, planning rides and drives..."*

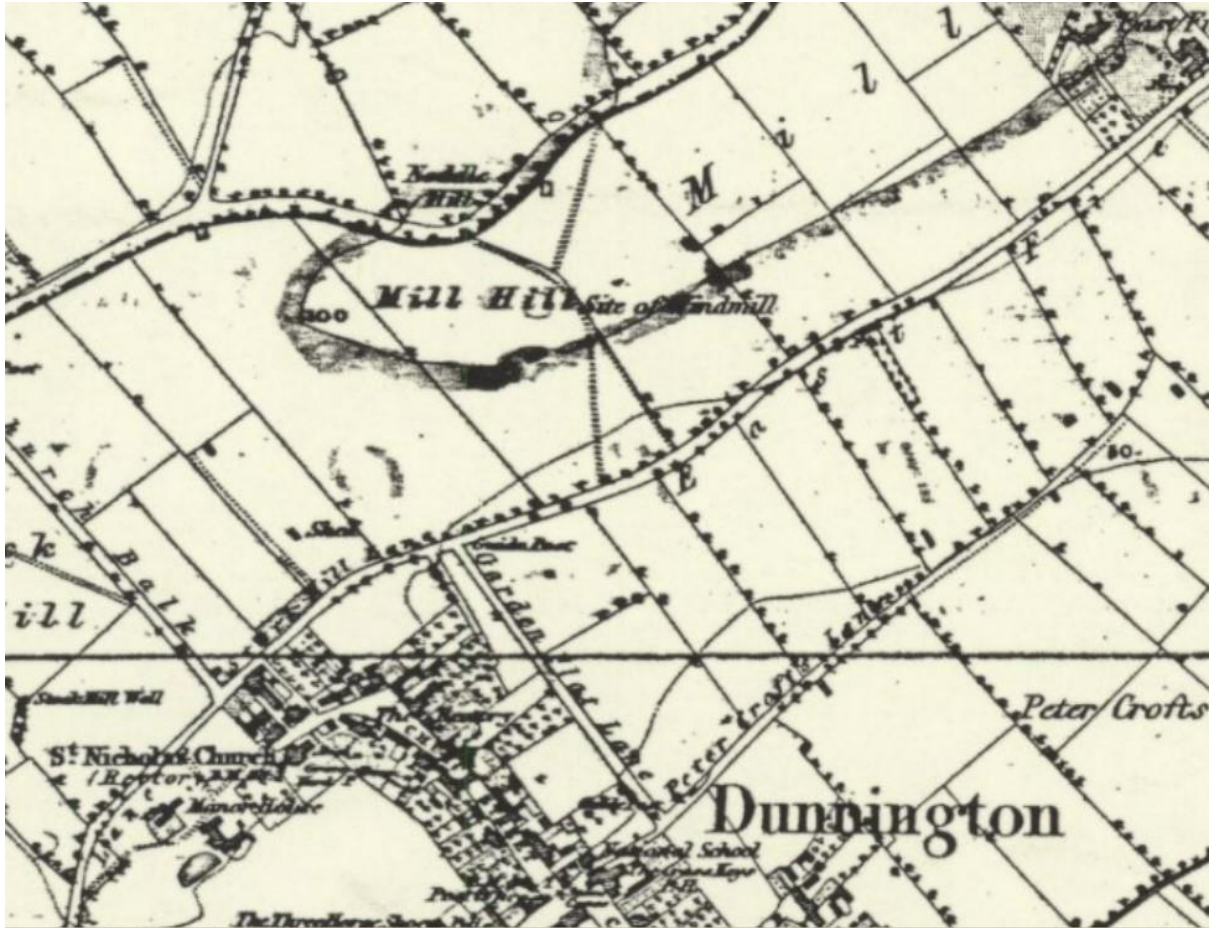
These quotes, ranging over nearly a hundred years 1862-1948, consistently state how OS maps were used by the travelling public. That is, that before the definitive map, they

indicated that all through roads and ways marked on them were public, and that bridlegates also inferred public status.

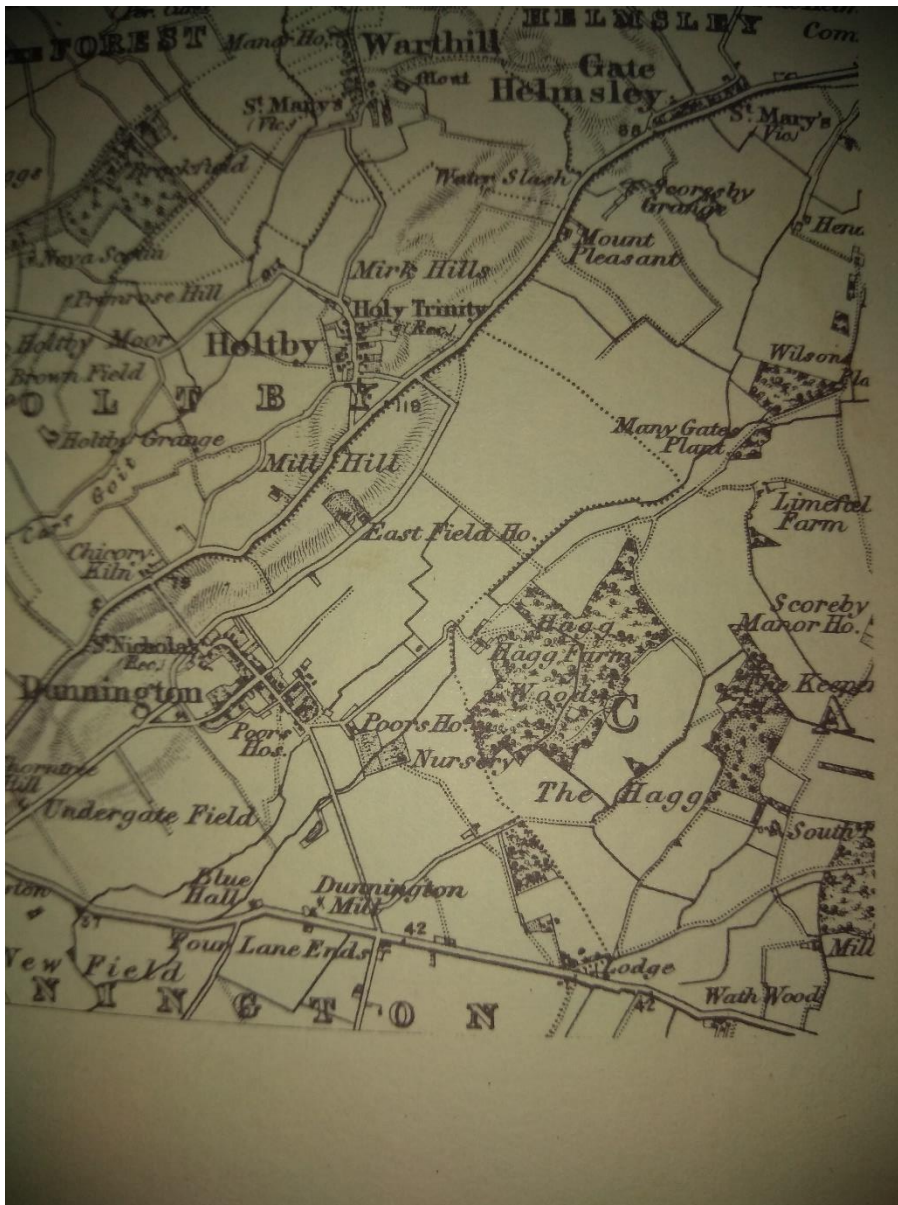
1854 6" OS 175

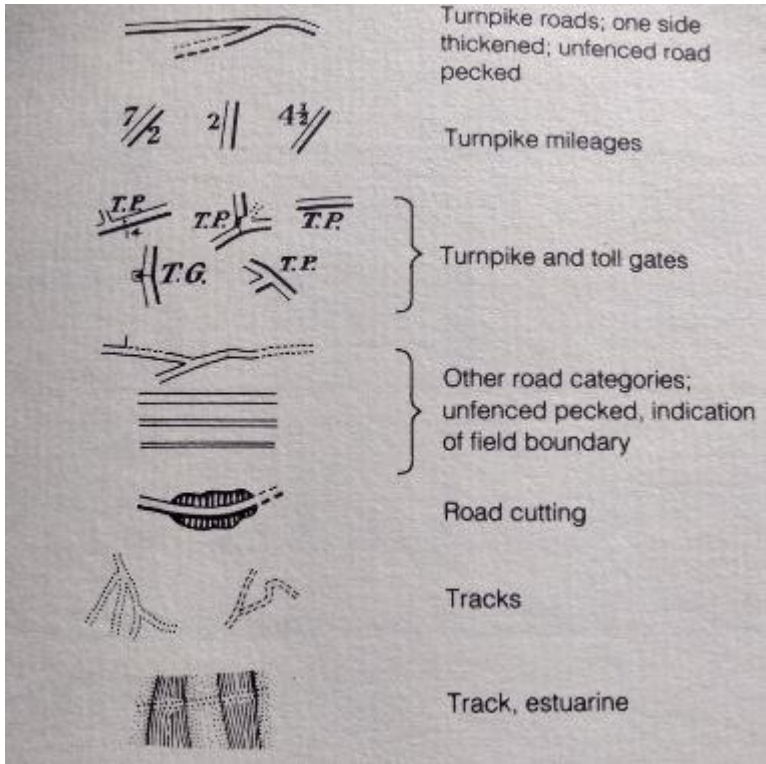
National Library of Scotland

The application route runs up across Mill Hill and the footpath is shown joining the route, and then leaving it again a bit further north. It has the site of an old wind mill on it, meaning that horses must have used it to deliver and collect grain.



As stated above by the Director General of OS footpaths were not shown on this edition. It can be seen as a bridle road, narrower than the roads.





THE OLD SERIES
ORDNANCE SURVEY
MAPS OF
ENGLAND AND WALES

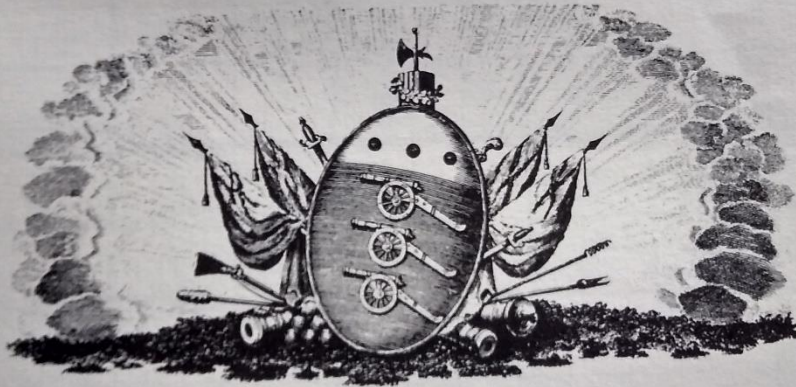
Scale: 1 inch to 1 mile

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Northern England and the Isle of Man

(Cumberland, Durham, Isle of Man, Northumberland, Westmorland and Yorkshire, North Riding,
and parts of Lancashire and Yorkshire, East and West Ridings)

HARRY MARGARY, LYMPNE CASTLE, KENT

Only the northern stretch is shown and the footpath appears to be of more importance.



Summary

- **1829 Bryants County Map:** shown as a bridle road.
- **1838 Dunnington Tithe:** a legal document and labelled as a Bridle Road.
- **1854-1893 OS Maps:** shown as a road or track across three maps at three different scales for 40 years.

17.3.23