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Taking action

Highways under threat

This article is a reprint from our
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and is the **second** in a series on **Taking action**

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In this, the second article of a series about preserving unrecorded rights of way from extinguishment on the cut-off day, 1 January 2026, our vice-chairman Phil Wadey explains how to start a systematic search for routes.

There are of course many ways of starting a comprehensive trawl for unrecorded paths but, with so many possible approaches, those wanting to perform research often just need a single method to get going. As ever when researching, it will be necessary to keep good notes of what is found and to take photographs or copies of any records examined. I use an old Ordnance Survey Explorer map for noting any routes I find. I number these routes, so that I can refer to them when taking notes about what is seen on the historical documents. If you take good notes at this stage, whether handwritten or on a laptop or tablet, it will save much time later when you are compiling applications to modify the definitive map.



The old road leading to the sea in Bacton, Norfolk. Not currently recorded but found by comparing IR maps with modern highway maps. Photo: Ian Witham

A popular first step is to use the documents produced for the Finance (1909-10) Act 1910. The act required the Inland Revenue (IR) to value all land in the UK. The purpose was to charge a tax on any increase in value when the property was later sold or inherited. Each property, known as a hereditament, was numbered, had its boundary plotted on Ordnance Survey (OS) county series second-edition maps (known as valuation maps), usually at a scale of 1:2500, and had its details recorded in field books.

The IR valuation-map may reveal many useful features for rights-of-way researchers. Where land is left uncoloured, and so is separate from any hereditament and unvalued, this indicates that it was exempt from valuation. Section 35 of the 1910 act exempted rating-authority land from valuation. A highway authority was a rating authority. If a track is unvalued, it is likely to have carried vehicular rights unless some other exemption can be determined. All white roads should be checked against a modern map, and any that do not appear to be modern roads should be added to the research list as candidates for modification-order applications.

The IR valuation-plan information was drawn on a second edition OS county series map. If any of the white roads are named on the map, this should be noted. The OS Object Name Books, held at Kew, will record the name, have a short description of the feature (for example, 'public road') and be vouched for by someone in a position to know that the name and spelling were correct. While this may be the vicar or schoolmaster, sometimes it is the surveyor of highways, which is a bonus.

Section 25 of the act gave a discount on the valuation if there were footpaths or bridleways across the land.

The map should be checked firstly to see if any tracks are marked 'FP' or 'BR' on the underlying OS base map, and secondly to see if the valuation office has noted any footpaths or bridleways—this will be shown in handwritten ink. Some valuation officers noted paths on the map in this way. Make a note for further research of all paths indicated by either method.

Record the name as printed of any railways or canals crossing the valuation map. If any candidate routes cross a railway, there may be useful evidence to be found later from the railway plans and books of reference deposited as part of the process of obtaining a private act of parliament authorising the construction. Such records can be found at the Parliamentary Archives and often also at County Record Offices.

I have examined more than 90 per cent of the 528 individual IR valuation-maps in Hertfordshire, for white roads, named routes and railways and canals. The results are astonishing in that they reveal so many footpaths, bridleways and byways which need recording.



Old road named Drift Way in Sandon, Hertfordshire, is a white road on the IR survey. Photo: Phil Wadey

Following the Natural Environment and Rural Communities Act 2006 (which prevented the claim of many vehicular routes), I have found that more than two thirds of the unrecorded white roads on the IR maps appear to have lost their motor-vehicle rights and so will be restricted byways when recorded.

Candidate paths

As a result of this research, I identified some 250 candidate paths. I have submitted more than 100 of these, with other evidence, to the county council as modification-order applications.

Other counties also have many paths to record. In Norfolk, OSS local correspondent Ian Witham has been following this method of researching IR valuation-maps. His examination of 50 valuation plans has revealed 108 paths for investigation. He has made three applications after adding other evidence.

This method can uncover plenty of routes for recording—thus reducing the potential loss on the cut-off day.

For more information about applying to add routes to the definitive map see <http://www.restoringtherecord.org.uk>.

While the Open Spaces Society has made every effort to ensure the information obtained in this factsheet is an accurate summary of the subject as at the date of publication, it is unable to accept liability for any misinterpretation of the law or any other error or omission in the advice in this paper.