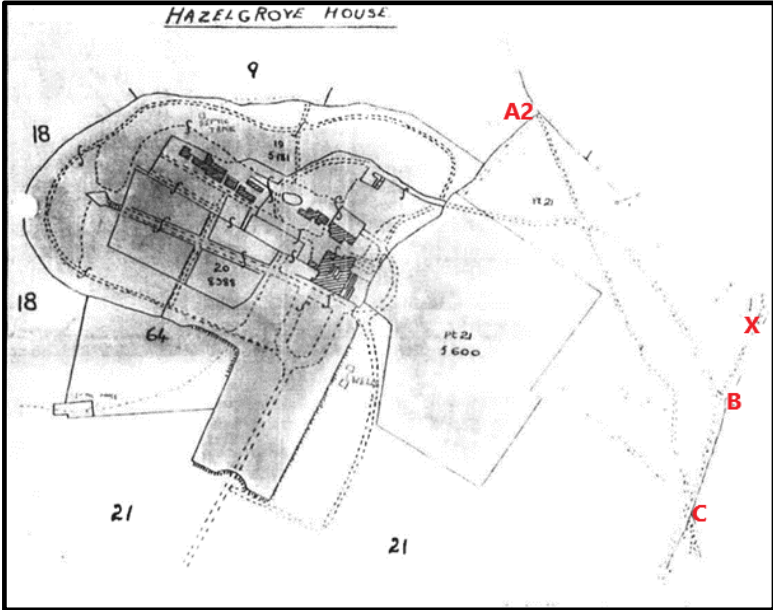
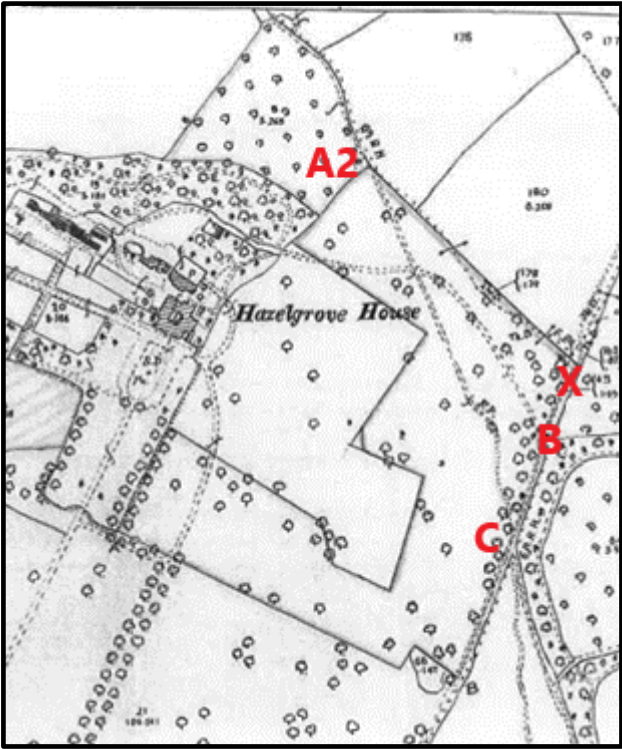


**Conveyance documents (extracts) (1953 & 1969)**

Source: Landowner A



Extract from 1953 conveyance. Red letters added for reference.



Extract from 1969 conveyance. Red letters added for reference.

## Written submission from Queen Camel Parish Council (redacted extracts)

### 1. Evidence from Queen Camel farmers

I have met with [REDACTED] of [REDACTED] Queen Camel and taken scans of some maps. (Supplied for your reference at Annex 1). His family purchased farmland from the Mildmay Estate around 1920. They have in their possession papers relating to the estate going back to the 1880s, but have not found any information in them relating to public paths across the land or an Estate Map.

[REDACTED] land is not affected by the application, but the longstanding family relationship with the Estate means that some information about how it used to operate has been handed down. His father's recollection [REDACTED] is that the Bridle Road (BR) ran from the kennels, up Hazelgrove Lane and then curved round to the stables at the back of the house (crossing the footpath).

It is also the case that the entire area of the three proposed bridleways 851, 858 and 859 fall within the boundary of the land owned by the Mildmay family. It is known that they did not permit public access to the land, except for the usual purposes of working and running the estate, (in other words with their express permission) and it seems inconceivable to local people that they would permit people to cross their land by horse as a matter of right by the routes suggested.

### 2. Map Evidence

We have reviewed this 1885 map <https://maps.nls.uk/view/101462194> and the larger scale County Series from which it would have been derived

<https://maps.nls.uk/geo/explore/#zoom=16&lat=51.03090&lon=-2.57395&layers=178&b=1>

Links to other maps that have been reviewed are at Annex 2.

#### 2.1 Proposed Bridleway 858 confuses a footpath with a bridle road (BR)

On both the above maps the BR is shown as a double pecked track crossing the double pecked route of the footpath. It emerges from the area at the rear of the house and crosses over the footpath, to curve round and join up with Hazelgrove Lane.

The application has the upper part of the proposed route of the Bridleway turning NNW where the footpath and Bridleway cross, and heading up the footpath. If they are claiming that the proposed Bridleway route is following the old BR then this is incorrect (and makes no sense when taken with [REDACTED] point above that the purpose of the route was to connect stables to kennels).

The routes of the footpaths/bridle roads on this map have clearly been surveyed as they curve and follow one side or another of featured trees – as opposed to being interpreted (shown as a straight line between two points). Therefore their routes and difference in widths they indicate (the BR is a wider path than the footpath) may be given credibility.

BR 858 continues to the rear of the Inn and the route agrees with the proposed Bridleway.

## **2.2 Proposed Bridleway 859 includes footpaths**

Going south the BR turns into a stretch named Hazelgrove Lane. At the time of this map the lane does not connect with the formal driveway up to the house. Instead the route appears to have been diverted to go round a 90 degree bend running along the side of the copse. Having reached the road there is an option to join the road, or to continue round another bend to follow alongside the road to reach the kennels. This route kept the formal driveway to the house clear of animal activity and the double fence-lines make sense for animal control. Bear in mind that fence gates are not shown on the map, so fence lines look solid their whole length.

Returning to the end of Hazelgrove Lane, it continues as a footpath across the driveway area. Within this stretch is the designation 'Def' which stands for 'Defaced' meaning that the parish boundary at this point has become indistinct, perhaps due to landscaping. When the path reaches the woodland on the north side of the road near Ridge Copse it again opens out to suggest a track, but is not designated a road because it has no sienna colouring. The woodland track(s) also have no BR designation, because they lead to nowhere useful for a horse to travel to, so it seems they remain as paths.

Therefore the proposed Bridleway and the BR shown on the old map are not in agreement as the former follows a route that is actually a footpath in several places.

In summary, we would ask you to

- Consider the purposes of the original bridle roads and tracks when determining their route.
- Acknowledge that the Mildmay family would not have been likely to designate a public bridleway across their land, especially one running close to the house. (The Bridle Roads near the house have disappeared from the 1904 map, when it was still in family ownership)
- Look carefully at the distinctions between the bridle roads and the footpaths on the old maps, as it is possible that the applicant has misinterpreted footpaths as bridle routes.

## **Written submission from respondent 1 (redacted)**

**The Mildmay Estate  
Hazelgrove House, Queen Camel.**

**Comments for consideration  
in the matter of claims for Public Rights**

**20 August 2021 based on recent  
research in the National Archives.**

1. No map is self-interpreting; however knowledge of the “vocabulary and language” of the map means it will “speak” [to you.]

2. For example: Thickened lines on the South and East of a route, coloured Light Sienna on the expensive edition of the Ordnance Survey [“O.S.”] 25-inch scale map indicates a “metalled” / hard surface: “thin” lines indicate “unmetalled” – a “soft” surface.

Absence of the Light Sienna colouring on the black and white cheaper edition of the O.S. Map provides the reader with the knowledge that the surface of the route is metalled / hard.

For an explanation of the earlier O.S. symbology, the thickened lines on a route, see O.S. text book.

3. Among other things the evidence relied upon in the claim for modifications of the Somerset [Queen Camel] Definitive Map included two Ordnance Survey [O.S.] Maps for the specific area – that is

(i) the **1887** First Edition “County Series” = 25 inch scale. LXXIV.7.

This map was Surveyed in 1885. Therefore what was seen “on the ground” on the day of the Survey was recorded.

(ii) the **1903** Second Edition “County Series” = 25 inch scale. LXXIV.7.

This map was Surveyed in 1901. Again, what was seen “on the ground” on the day of the Survey was recorded.

For precision, O.S. map LXXIV.3 was carefully examined as well.

3. There is no evidence that the relevant explanation of *named Objects* shown on the two O.S. maps which is provided in the O.S. Object Names Book was submitted by the Applicant.

4. In order to leave no stone unturned, during the week of 16 August 2021 investigative research of the relevant O.S. Object Names Books in the National Archives [aka The Public Record Office] - and later a comparative exercise of the relevant Maps was undertaken.

5. Knowledge of the vocabulary and language of the O.S. maps meant they were able to “speak” to me - [REDACTED]

My findings are listed below:-

(a) **The 1887 O.S. 25-inch scale First Edition “County Series” map** is coloured. A gated uncoloured [ *unmetalled - indicated by double thin lines* ] unnamed “road” [O.S. plot 99 acreage .410 [“plot 99”] branches West from the Sparkford High Street [O.S. plot 105]. The O.S. symbology indicates that plot 99 [the unnamed gated road which branches from the Sparkford High Street] is a “road” which is “*on trespass*” = Private = Occupation Road. Not a public highway of any status.

(ai) Plot 99 turns [on the parish boundary [which is 6ft from the Root of the Eastern hedgeline] North East and continues as a Lane [enclosed [double lines] metalled [coloured Light Sienna, with a thickened line on the East] named “*Hazelgrove Lane*” which has its own identifying O.S. plot number **68 acreage .891**.

(aii) The fact that it is unequivocally gated [solid black line ] at the end [*near the water feature O.S. plot 66*] indicates it is accepted as an Occupation Road = private.

(aiii) Thereafter an unenclosed track [shown by double pecks of the “thin” variety] continues, *braced* into the acreage of O.S. 21 but annotated with the letters “B.R.” which, when identifying its destination can reasonably be taken to mean evidence

of horse use associated with the Mansion House....but given the O.S. Disclaimer since 1889 cannot be reasonably taken to mean “public” bridleway.

(aiv) The unenclosed unmetalled track then continues on O.S. **LXXIV.3** but veers West [ still braced as part of O.S. 21] towards a gated entrance to the garden of Hazelgrove House. Double pecks annotated with the letters “F.P.” [braced into O.S. 21] cross over the B.R. route going North towards an enclosed, unmetalled track.

(av) The O.S. symbology on this [1887] map suggests the paths and tracks are simply “Estate paths” - not public highways. It is disingenuous to suggest that a “large-scale” map which covers such a small area would be relied upon and used by “the travelling public.”

**(b) The 1903 O.S. 25-inch scale Second Edition “County Series” map is not coloured....it is black and white. It has evolved since 1887.. some of the features “on the ground” have changed.**

(bi) O.S. plot 99 which - still unmetalled [thin lines] - can now be seen to be gated at each end unequivocally indicating O.S. symbology for an Occupation road, which still *branches* from the Sparkford High Street.

(bii) The route [braced into O.S. 21] which was formerly annotated with the letters “B.R.” and veered West through a gate into the garden of Hazelgrove House **no longer exists as an enclosed route with its own “name” - O.S. plot number and acreage;** that is -

on the day of the Survey, the Surveyor only saw an unenclosed *unnamed* track, braced into the acreage of O.S. 21...

**the explanation** for this was discovered in the undisclosed O.S. Object Names Book [1903 in the National Archives..] and will be included below -

(biii) The soft unenclosed original track travels as before to the gate which leads to the garden of Hazelgrove House.... However it is now annotated with the letters “F.P.”

(biv) Another route annotated “F.P.” travels North [towards the parish of South Barrow] to a track which is **gated at each end**. Again, O.S. symbology for an Occupation Road. The path travels through the first gate and is then braced into the orchard O.S. plot **8** acreage 3.269.

(bv) The second gate continues to an enclosed track O.S. plot **7** acreage .335. which exits [ungated] on the corner of a road in South Barrow [which has a thickened line on the South indicating it is metalled -[plot 162]. It is an accepted public vehicular highway, leading to Babcary.

(bvi) For clarity...a O.S. symbology for an Occupation Road is as follows:-

1. gated at each end
2. gated at the end of a track where it enters a field [or similar property]
3. gated at the *entrance* to a track

(bvii) The existence of several Occupation Roads more than *suggests* they were Estate tracks/roads/paths – necessary for running the large acreage of the private Estate.

**The 1903 O.S. Object Names Book [National Archives, Kew.]**

“Hazelgrove Lane” is not listed in the opening pages of the Book...unusual. BUT it is recorded in the **second column** of a page later in the Book. [Usual practice is an entry in the opening Index, followed by an entry in the First column of the relevant page.]

As the word “Obsolete” is written to the entry [which has been “authorised” by the Estate’s Agent] it stands to reason the Lane no longer exists as a “feature”. This is confirmed by the entry on the same page which says “***West side of lane demolished.***”

When a hedge [or even a wall] is “demolished” the small acreage of a lane or track is “thrown into” [subsumed by] the adjoining larger plot of land...such as, in this case, the 100-acre field [more likely than not referred to as “The Park”] through which the metalled unenclosed Carriage Driveway runs to the Mansion house - and the O.S. plot number which identifies the lane or track simply disappears. It is standard agricultural practice - and “X”s which indicate the procedure can often be seen on plans/maps used by Estates - including the one which owned our dairy farm.

Subsuming the acreage of the land of a Public Bridleway [however small] into private land would not go unnoticed..... but there is a deafening silence as to any complaint.

The detailed entry for the Sparkford “Repository” was also photographed and is included.