

## Definitive Map of Rights of Way for Leicestershire Register of Definitive Map Modification Order Applications

Short Description: <b>Addition of a footpath from Loughborough Road to Public Footpath K35, Quorn</b>			
Application No.:	<b>M1262</b>	Legal Services Ref. No.:	<b>HTWMT/</b>
Application Status:	<b>Footpath</b>		
Geographical Location			
Path No:		Route name (if known):	
Settlement:	<b>Quorn</b>		
Parish:	<b>Quorndon</b>		
District/Borough:	<b>Charnwood Borough Council</b>		
Nearest Town/City:	<b>Loughborough</b>		
Start Location:	<b>Loughborough Road</b>		
Start Grid Refs:	Landranger:	<b>SK 452 170</b>	Eastings,Northings: <b>445249,317060</b>
End Location:	<b>Barrow Road</b>		
End Grid Refs:	Landranger:	<b>SK 551 170</b>	Eastings,Northings: <b>455142,317060</b>
Applicant's Name, Address & Postcode: <b>Quorn Local History Group, c/o The Old School, School Lane, Quorn LE12 8BL</b>			
Date Received:	<b>21/09/2021</b>	Date Determined:*	
Application Stage(s): <ul style="list-style-type: none"> <li>• Wildlife and Countryside Act 1981 Sch 14(2) Notice Served and Certified? <b>Yes</b></li> <li>•</li> </ul>			
For Further Information			
Case Officer:	<b>Samantha Ireson</b>		
Telephone:	<b>0116 305 7001</b>	Fax:	
Email:	<b>footpaths@leics.gov.uk</b>		
Contents List:			Page:
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\* Note the **Determination Date** is the occasion on which Leicestershire County Council formally decided whether or not to make an order in response to this application.

Form PT634

**APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER**

WILDLIFE AND COUNTRYSIDE ACT 1981  
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF LEICESTERSHIRE

Please complete this form and return it together with Form PT636, and any evidence you wish to submit, to: Safe and Sustainable Travel Team, Environment and Transport Department,  
Leicestershire County Council, County Hall, Glenfield, Leicester, LE3 8RJ.

I/We [Quorn Local History Group](#)

Of [c/o The Old School, School Lane, Quorn, LE12 8BL](#)

hereby apply for an Order under Section 53(2) of the Wildlife and Countryside Act 1981, modifying the Definitive Map and Statement for the area by

\*adding a footpath/~~bridleway/byway~~ open to all traffic

~~\*deleting a footpath/bridleway/byway open to all traffic~~

~~\*upgrading the footpath/bridleway~~

~~\*downgrading the bridleway/byway open to all traffic~~

~~\*varying the particulars in the Definitive Statement relating to the  
footpath/bridleway/byway  
open to all traffic~~

(\*delete as appropriate)

which runs from [the Loughborough Road, Quorn](#)  
to the [Public Right of Way footpath K35](#) as shown on the attached plan.

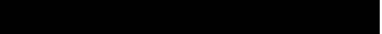
I/We attach copies of the following documentary evidence (including statements of witnesses) in support of this application:

List of documents

[Definitive Map Modification Order Case Document QLHG-2 issue 1](#)

[Witness statements of usage & demand:](#)

[David Collier, Geraldine Marchant, Gill Coates, Dennis Marchant, Gillian Ackers, Liz Clough, Paul Goodman, Alison Cherry, Hayley Beaver, Michael Hoy, Bruce McKenzie, Marion Bruce, David Gardener, Richard Burgess, John Adsley, Christopher Houlder and Simon Austin.](#)

Signed...  Dated... [20th September 2021](#)

How we use your information

Any information you provide will be used in accordance with current data protection regulations and other relevant legislation. The information will be used to consider your application for a Definitive Map Modification Order. A copy of your application (including your name and address) will be published online in order to meet statutory requirements. Other personal details (such as telephone numbers, email addresses and signatures) will be removed before publication.





## Wildlife and Countryside Act 1981

### **Quorn Local History Group Definitive Map Modification Order Case Document**

**Applicant's Reference: QLHG-2**

**September 2021**

Definitive Map Modification Order Application for a footpath route from the Loughborough Road to the Public Right of Way footpath identified as K35 all within the Civil Parish of Quorndon (Quorn) to be shown as a Public Footpath

Quick reference path facts to assist the Surveying Authority in its investigation OS 25-inch County series map Leicestershire XVIII  
Definitive Map sheet SK51NE



A view from the Loughborough Road end of the route toward K35

Note: Use of maps etc. is based on Copyright, Designs and Patents Act 1988 section 46 exception on copying for a statutory inquiry



### Issue Status

Working Draft	31 August 2021	
Comment Draft	15 September 2021	
Issue 1	20 September 2021	
Issue 2	18 October 2021	Addition of 18c Map, a photograph, Appendices A and B and council support

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## INTRODUCTION

1. My name is Dennis Marchant. I am the applicant for the order on behalf of the Quorn Local History Group (QLHG). This application is based on evidence gathered by QLHG members, all of whom have experience in volunteer roles related to parish heritage and history including footpaths. One of the researchers is the Village Heritage expert. In addition, evidence has been provided by members of the public and coordinated by QLHG.

2. This application is being made for the following reasons:

- a) The path in question has been well used by local people and walkers for many years and its status needs regularising to protect it for future generations.
- b) The link between the Loughborough Road and the K35 Public Right of Way is an approximately 130 metre unrecorded section of track/footpath. The K35 footpath provides a link between Quorn and Woodthorpe.
- c) Many local people use this route and believe that it is a right of way being surprised to learn that it is not a recorded public right of way.
- d) The path is part of a track from Loughborough Road to footpath K35, sometimes referred to as the old Woodthorpe Road. If approved this link would provide an alternative route avoiding the section of K35 towards the Woodhouse Road that is regularly muddy and occasionally floods.

3. The QLHG believes this application should be accepted in accordance with Part III paragraph 54 and Schedule 16 of the Wildlife and Countryside Act 1981 and the Countryside and Rights of Way Act 2000 because:

- a) This application statement includes explanations as to how the evidence applies to the application route, and
- b) the application contains one or more of the following forms of supporting evidence:

(1) Legal document(s) relating specifically to the right of way that is the subject of the application (such as Railway Act, Inclosure Act and Award, Finance Act, Court Order or Main Roads Order evidence).



(2) Evidence of reputation in legal document(s), even though not written specifically about the right of way that is the subject of the application (such as Tithe Awards and Maps).

(3) Documentary evidence of expenditure that would be unlawful unless the way was a public highway, for example Highway Board records.

(4) Documentary evidence of reputation, for example an Ordnance Survey map, coupled with public scrutiny, or evidence of highway status in a landowner produced document.

(5) Maps and other documents which, over a period of time, and taken together, provide evidence of reputation that the order route is part of the public road network.

### THE APPLICATION ROUTE

4. The application route is shown on the following plan (Figures 1 and 2) from point 'A' Loughborough Road, Quorn to Point 'B' Public Right of Way K35. That is, from SK55245 17057 East:455244 North:317057 to SK55129 17018 East:455128 North:317017. The route is broad enough to drive a Land Rover along.

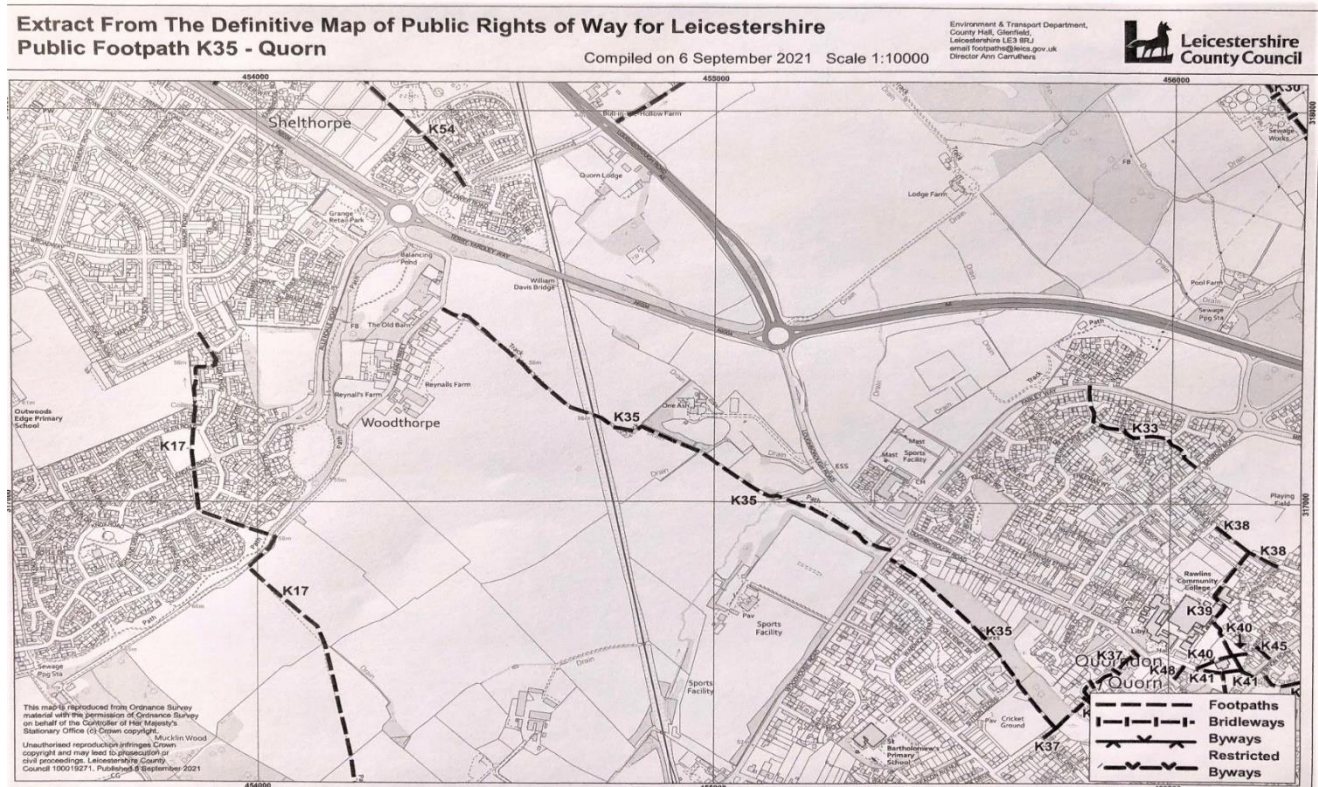


Fig.1 Extract from The Definitive Map of Public Rights of Way for Leicestershire with the subject footpath indicated by the red arrow.

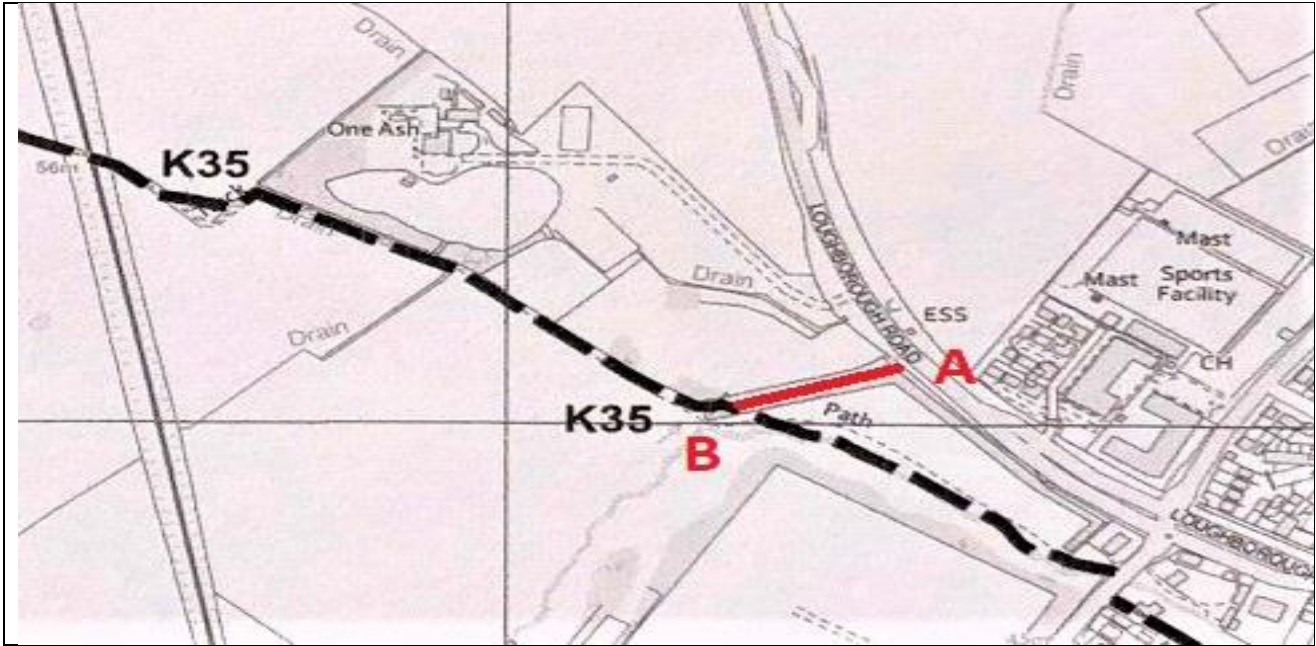


Fig.2 Expanded view of the Definitive Map of Public Rights of Way for Leicestershire showing the subject footpath in red between A and B.

5. The application route is not currently shown on the definitive map of rights of way for Leicestershire.

#### **DOCUMENTARY EVIDENCE OF HIGHWAY STATUS**

6. In order to be able to modify the definitive map and statement, the Surveying Authority needs to have a discovery of evidence which shows that, on the balance of probabilities, highway rights exist. The use of the 'balance of probabilities' test rather than 'beyond reasonable doubt' was confirmed by the High Court in *Todd, Bradley v SOS for EFRA* [2004] 4 All ER 497

7. The courts have given guidance on how evidence of highway status is to be considered. In *Fortune and Others v Wiltshire Council and Another* [2012] EWCA Civ 334, Lewison LJ said, at paragraph 22,

*'In the nature of things where an inquiry goes back over many years (or, in the case of disputed highways, centuries) direct evidence will often be impossible to find. The fact-finding tribunal must draw inferences from circumstantial evidence. The nature of the evidence that the fact-finding tribunal may consider in deciding whether or not to draw an inference is almost limitless. As Pollock CB famously directed the jury in R v Exall (1866) 4 F & F 922: "It has been said that circumstantial evidence is to be considered as a chain, and each piece of evidence as a link in the chain, but that is not so, for then, if any one link broke, the chain would fall. It is more like the case of a rope composed of*





*several cords. One strand of the cord might be insufficient to sustain the weight, but three stranded together may be quite of sufficient strength."*

**8.** While no single piece of evidence may be considered conclusive, the applicant believes that taken as a whole the numerous pieces of evidence demonstrate highway reputation over many years, indicating that the route does indeed have public right of way status.

In order to be able to modify the definitive map and statement, the Surveying Authority needs to have a discovery of evidence which shows that, on the balance of probabilities, highway rights exist.

## **TEXTUAL EVIDENCE OF HIGHWAY STATUS**

**9.** To clarify the background to this case and the currently recorded extent of the Public Footpath, the evidence initially follows a logical rather than a chronological order.

### **10. Quorndon North and West Fields (pre-Enclosure)**

a. Object. Plans.

b. Date. 1752.

c. Relevance. These maps indicate the subject route.

d. Archive/Content. In an old chest in Quorndon Church was preserved a book called the 'Town Book' dated 1752 which gave the names of all freeholders of land and their tenants in the open fields of Quorndon along with other information and was the last copy made before the Quorndon Enclosure Award of 1763. In his book, "Quorndon Records (pre-1912)", George Francis Farnham, b.1859, added plans of the three fields of Quorndon with as many of the Furlongs as he could locate from the Town Book of 1752. The work Quorndon Records has been selected by scholars as being culturally important and is in the public domain.

Below are the copies of these pre-Enclosure Act plans of two of the Quorndon fields, The North Field (or Moor Field) and the West Field. Copies of the plans are also available on the Quorn Village Online Museum as artefacts 510 and 511.



e. Meaning. The maps indicate that the subject route was the path that formed the boundary walk between the Quorndon North Field and the West field when the map was drawn in 1752.

f. Assessment. At the time of the pre-Enclosure Acts the greater part of arable land of Quorn was divided into three fields South, North, and West and had been so for centuries. These fields were partitioned by baulks and stones, indicating the different land holding of owners and tenants. Only the North Field map (figure 3a) and the West Field map (3b) are of relevance to this submission. Referring to figure 3a the subject footpath, indicated by the red arrow can be seen as a continuous route from the Loughborough Road toward Woodthorpe. The boundary route separated the North and West Fields which were separately administered manorial fields thus the paths allowed access for both owners and tenants. The West Field Map, Figure 3b clearly shows the 'Dustmoor Gate' with access to the path at the same Barr position. This provides evidence that this was at least a footpath following a similar alignment to later mapped routes.

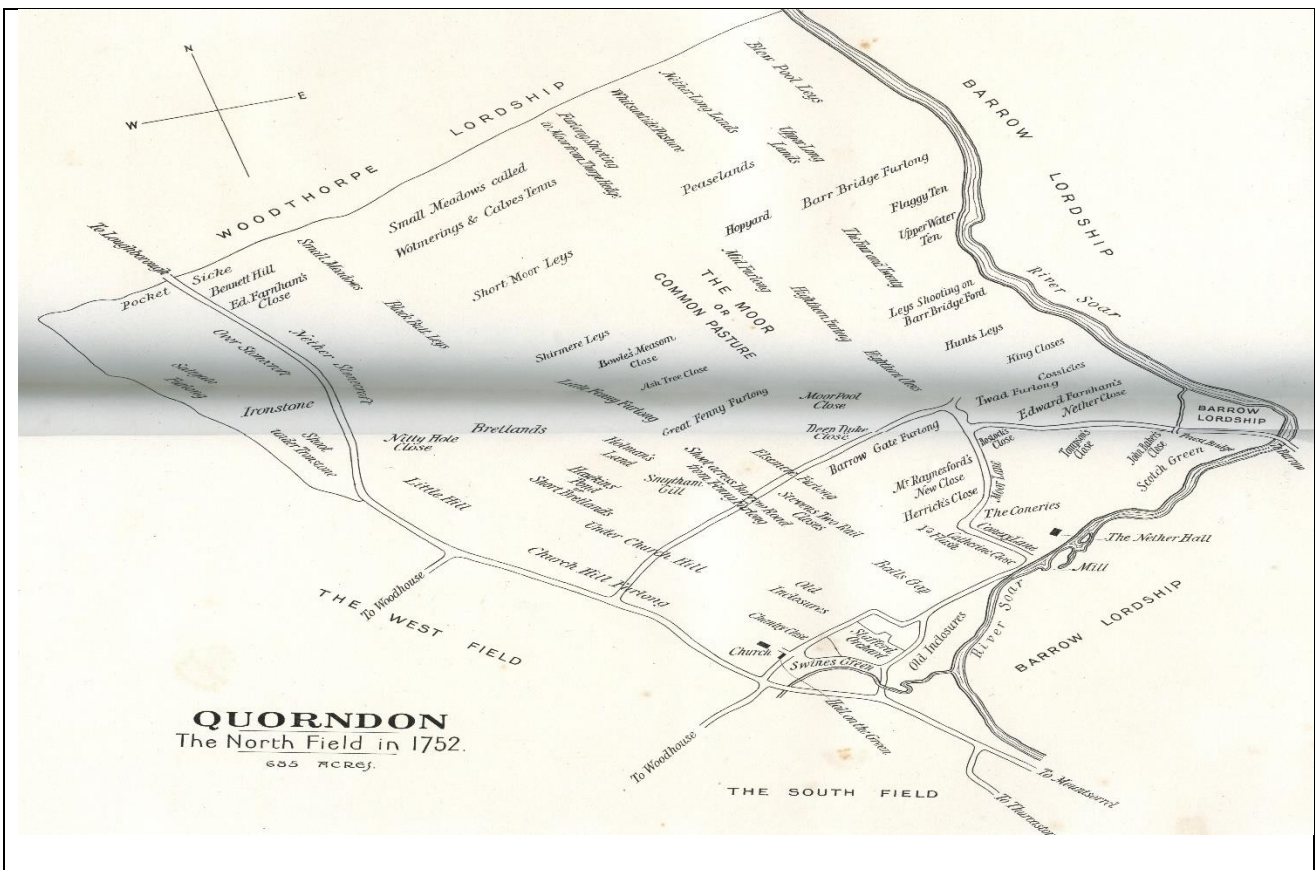


Fig 3a – Pre-Enclosure Plan of Quorndon, The North Field (or Moor Field).

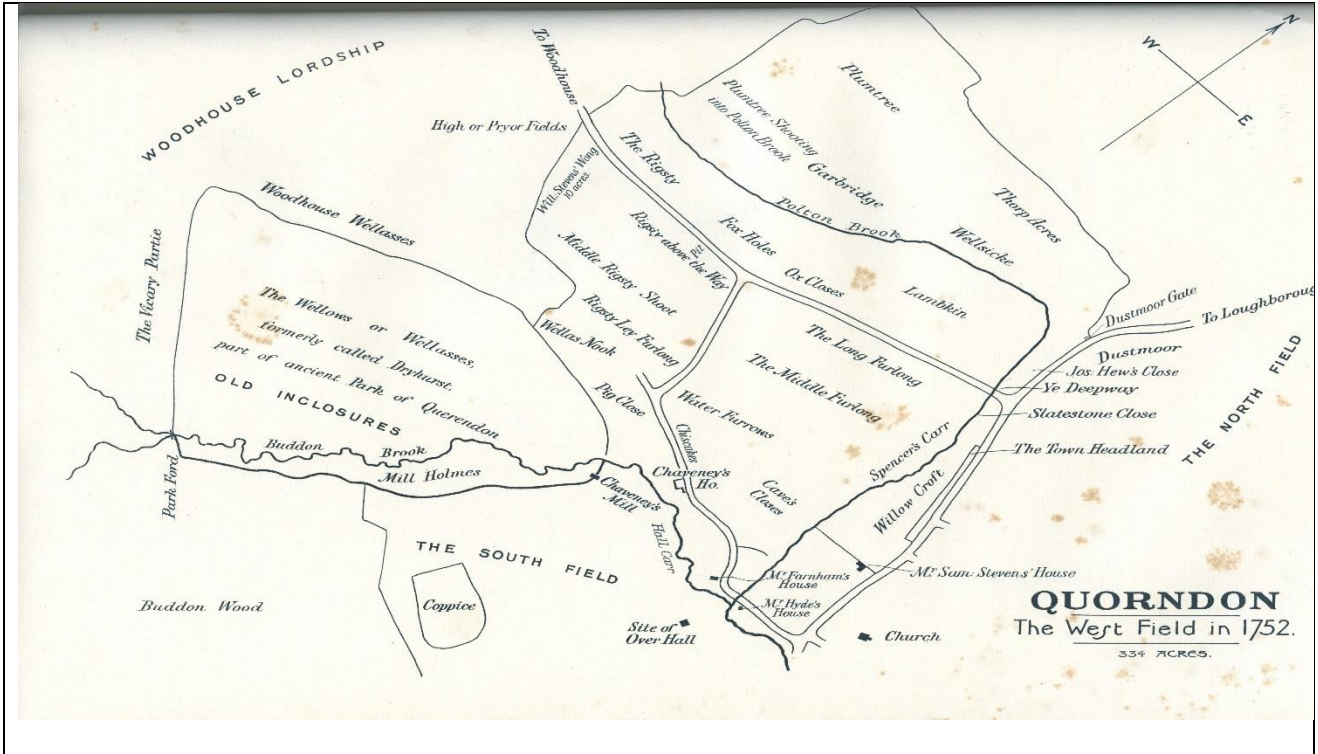


Fig 3b – Pre-Enclosure Act Plan of Quorndon, The West Field.

## 11. Quorndon Enclosure Award 1763

a. Object. Document Extract

b. Date. 1940

c. Relevance. This document extract is relevant to this application because it has text that refers to the route of the subject footpath.

d. Archive/Content. This extract is taken from a copy of a document copied by the well-respected Quorndon Parish Clerk, Hillier Northage in 1940. The extract is reproduced below as figure 4e. This document is held in the Vestry Archive of St. Bartholomews United Church, the Quorn Parish Church. The original Town Book is held at the Record Office Leicestershire, Leicester, and Rutland at Wigston Magna both are available to view by request.

e. Meaning. This document an extract from the copy of the Enclosure Award provides documentary evidence of the history of the route at the time of the Quorndon Enclosure Award of 1763. The letter is from George Farnham (Fig. 4c) who lived at Quorn house and was head of one of Leicestershire's oldest families. He was one of the best-known authorities and writers on old Leicestershire. The letter dated 3 November 1931 confirms that he removed the Town Book from the church chest with permission



and placed it with the Leicester Museum. The letter states “It is the last record of the open and undivided fields of Quorndon before the award of 1763.....”

f. Assessment. The middle paragraph of page 159 of the document states ‘*that there is a PUBLIC HORSE CARRIAGE AND DRIFT ROAD leading from the said Turnpike Road at a certain place in the said North Field called Dust Moors Common into the lands allotted to Quorndon Trustees in the said North and West Fields and so over the same allotment to the Parish of Woodthorpe, where the Public Road to Woodthorpe has heretofore usually gone*’.

From the Town Book (Fig 4a/b) and the Quorndon Records (Fig 4d) referenced in paragraph 10 above it is determined that these were the lands allotted to Quorndon Trustees in the North and West Fields therefore, the public horse carriage and drift road referred to can be assumed to be the subject route of this application.



Fig 4a – The actual ‘Town Book’

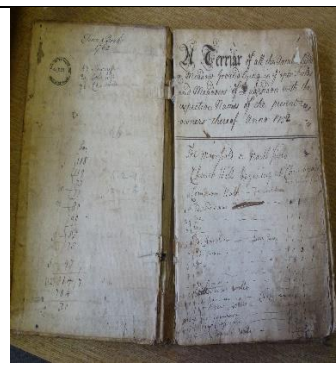


Fig 4b – The Town Book example pages

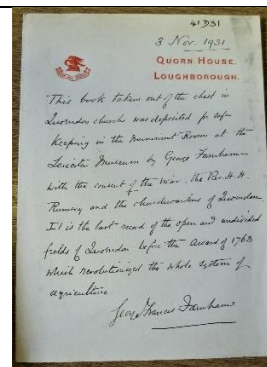


Fig 4c – Letter from George Farnham

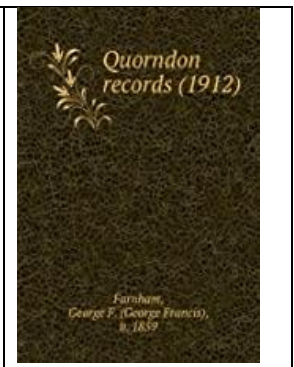


Fig 4d – Quorndon Records (1912) by George F. Farnham

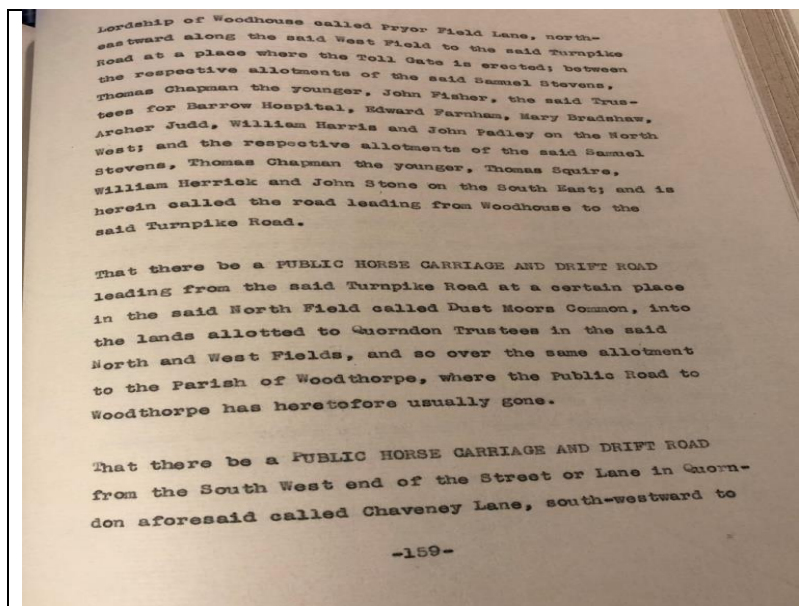


Fig 4e – Extract from the copy of the Enclosure Award



**12. St. Bartholomews Quorn**

a. Object. Parish Magazine

b. Date. July 1898

c. Relevance. The parish magazine includes an article that is relevant to this application.

d. Archive/Content. The extracts reproduced below as figures 5a through to 5c are all available in the public domain and readily available as artefact 2090 on the Village Online Museum.

e. Meaning. This document provides further evidence that the route subject to this application is valid.

f. Assessment. The Parish Magazine printed an announcement from the Urban District Council that they thought would be of interest to parishioners. It discusses the sale of two remaining pieces of land that had been set aside for the extraction of sand and gravel for highway maintenance and contemplates using the proceeds from the sale for the improvement of village causeways and streets and refers directly to the ‘public horse carriage and drift road’ leading from the Turnpike Road at the North Field called Dust Moors Common to the Parish of Woodthorpe. This is clear evidence that the route was still in use as a highway in July 1898.

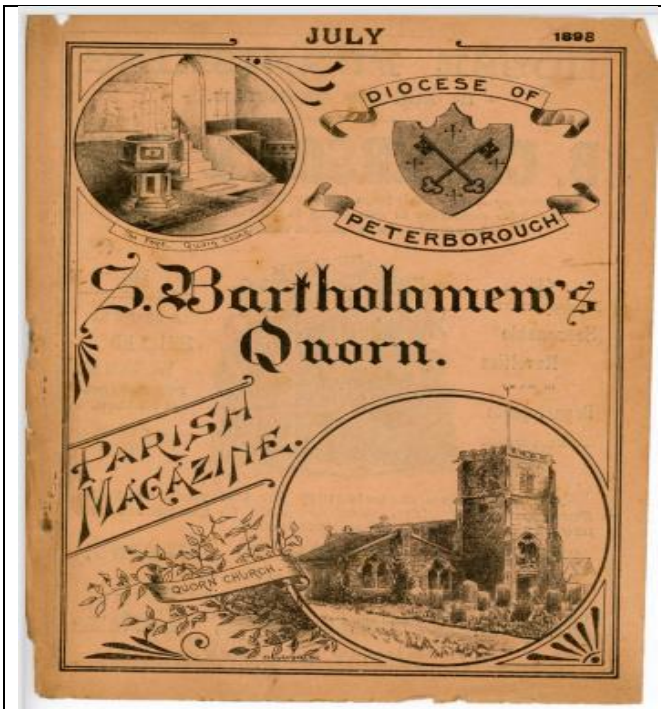


Fig 5a cover of the July 1898 Parish Magazine

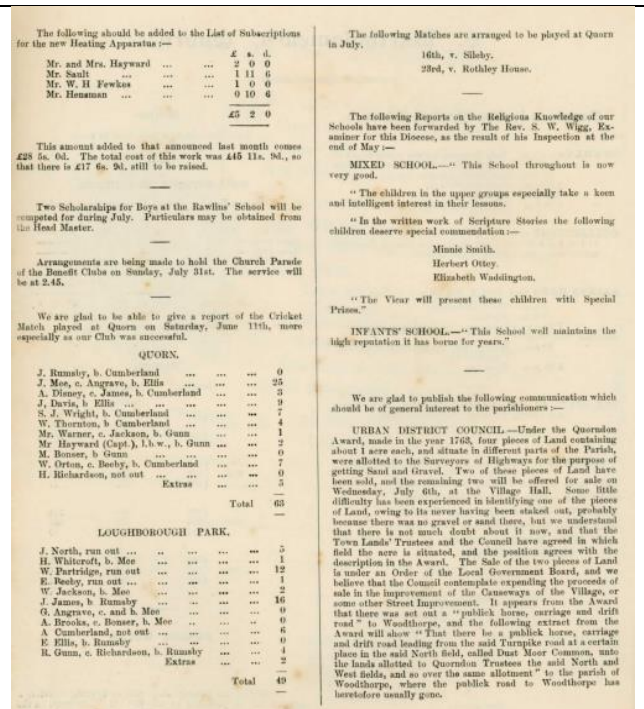


Fig 5b of the July 1898 Parish Magazine

We are glad to publish the following communication which should be of general interest to the parishioners :—

URBAN DISTRICT COUNCIL.—Under the Quorndon Award, made in the year 1763, four pieces of Land containing about 1 acre each, and situate in different parts of the Parish, were allotted to the Surveyors of Highways for the purpose of getting Sand and Gravel. Two of these pieces of Land have been sold, and the remaining two will be offered for sale on Wednesday, July 6th, at the Village Hall. Some little difficulty has been experienced in identifying one of the pieces of Land, owing to its never having been staked out, probably because there was no gravel or sand there, but we understand that there is not much doubt about it now, and that the Town Lands' Trustees and the Council have agreed in which field the acre is situated, and the position agrees with the description in the Award. The Sale of the two pieces of Land is under an Order of the Local Government Board, and we believe that the Council contemplate expending the proceeds of sale in the improvement of the Causeways of the Village, or some other Street Improvement. It appears from the Award that there was set out a "publick horse, carriage and drift road" to Woodthorpe, and the following extract from the Award will show "That there be a publick horse, carriage and drift road leading from the said Turnpike road at a certain place in the said North field, called Dust Moor Common, unto the lands allotted to Quorndon Trustees the said North and West fields, and so over the same allotment" to the parish of Woodthorpe, where the publick road to Woodthorpe has heretofore usually gone.

Fig 5c-1898 Parish Magazine article.

### 13. Historical Map Progression

a. Object. Map Extracts

b. Date. 1815 to 2021

c. Relevance. The Ordnance Survey maps relevant to the subject footpath provide a useful summary of the route during the period from 1815 up to the present time.

d. Archive/Content. The extract of the maps reproduced below as figures 5a through to 5x are all in the public domain and readily available.

e. Meaning. This selection of maps provides documentary evidence of the history of the route.

f. Assessment. The following map progression covers the area in which the subject footpath is situated and illustrates its development from the 19th century to the present day. It gives an insight into the past uses of the site. The site of the country house named 'One Ash' is depicted in maps from 1896 (Fig 5c) and on. The route of the track linking the Loughborough Road in the parish of Quorndon with the hamlet of





Woodthorpe can clearly be seen and illustrating why the route is sometimes referred to as the 'Old Woodthorpe Road'. The 18<sup>th</sup> century turnpike map and the 1815 and 1835 (Figs: 5a, 5a1 and 5a2) maps clearly show the route as a road. The 1884 map (fig 5b) still shows the section of the application route as a track, but some parts of the continuous route appear as a footpath. The 1896 map (fig 5c) shows the subject route as before and by now the access to the One Ash house which was built in 1894. The development of the One Ash estate becomes more apparent by the time of the 1919-21 Leicester Map is in place (fig 5c) and the subject section of footpath is still illustrated as in is on the 1922 map (fig 5d) but now the footpath from Woodthorpe is shown as continuing on to Woodhouse Road, Quorn. The maps from figures 5e 1922 through to 5l 2021 continue to indicate the subject route as a track/footpath. The one exception being figure 5k the 2015 Ordnance Survey Land Ranger which shows the route by a continuous black line. This continual black line could be interpreted as a land boundary and that it may well be however, it is the route of a fenced track that links from the road to the fields. Persons have the ability to and do walk along the route and have done for many years. Similar routes in the area are indicated as fence or unfenced tracks. The extract from the county Definitive Map (fig 5l) correctly shows the route as a fenced track.



5a: 18<sup>th</sup> Century Map Victorian County History (Leics), Doc ref DE42/2/28 Turnpike



Figure 5a1: 1815 Leicester and Loughborough Ordnance Survey Map



5a2: 1835 First Edition OS map from 1835



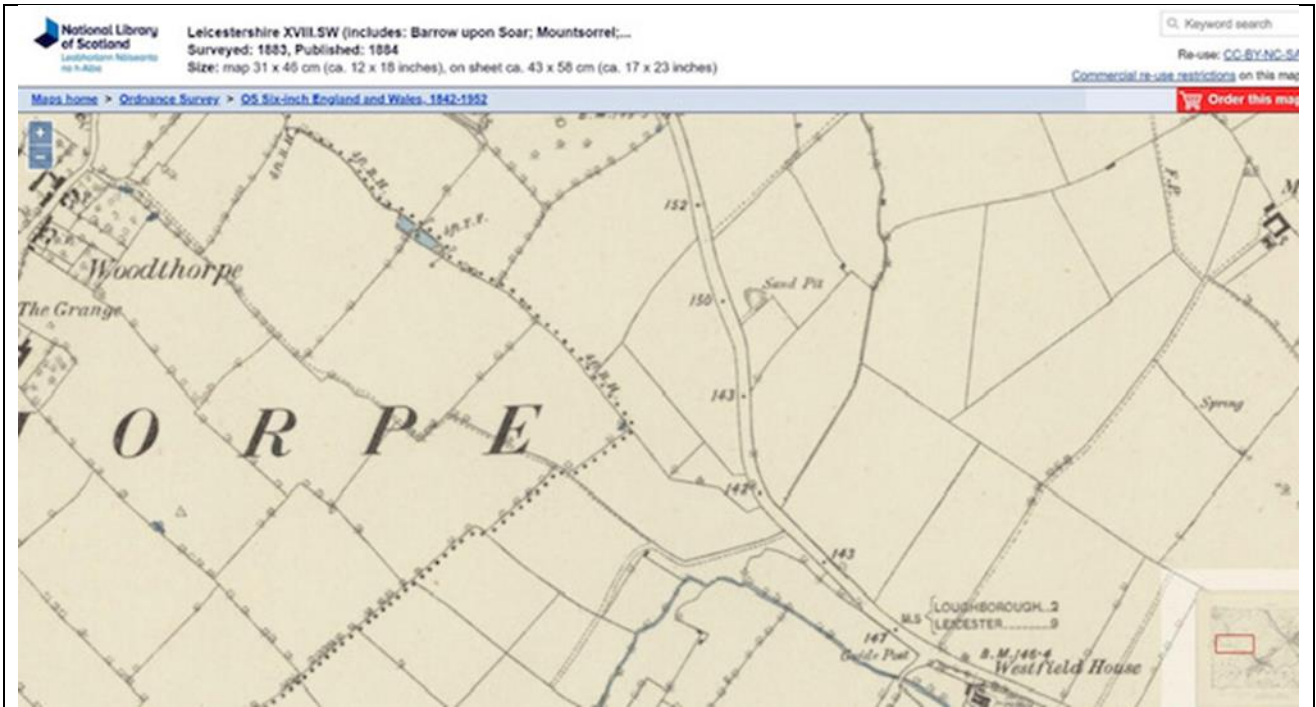


Figure 5b: 1884 Ordnance Survey Leicester Map



Figure 5c: 1896 Ordnance Survey Leicester Map

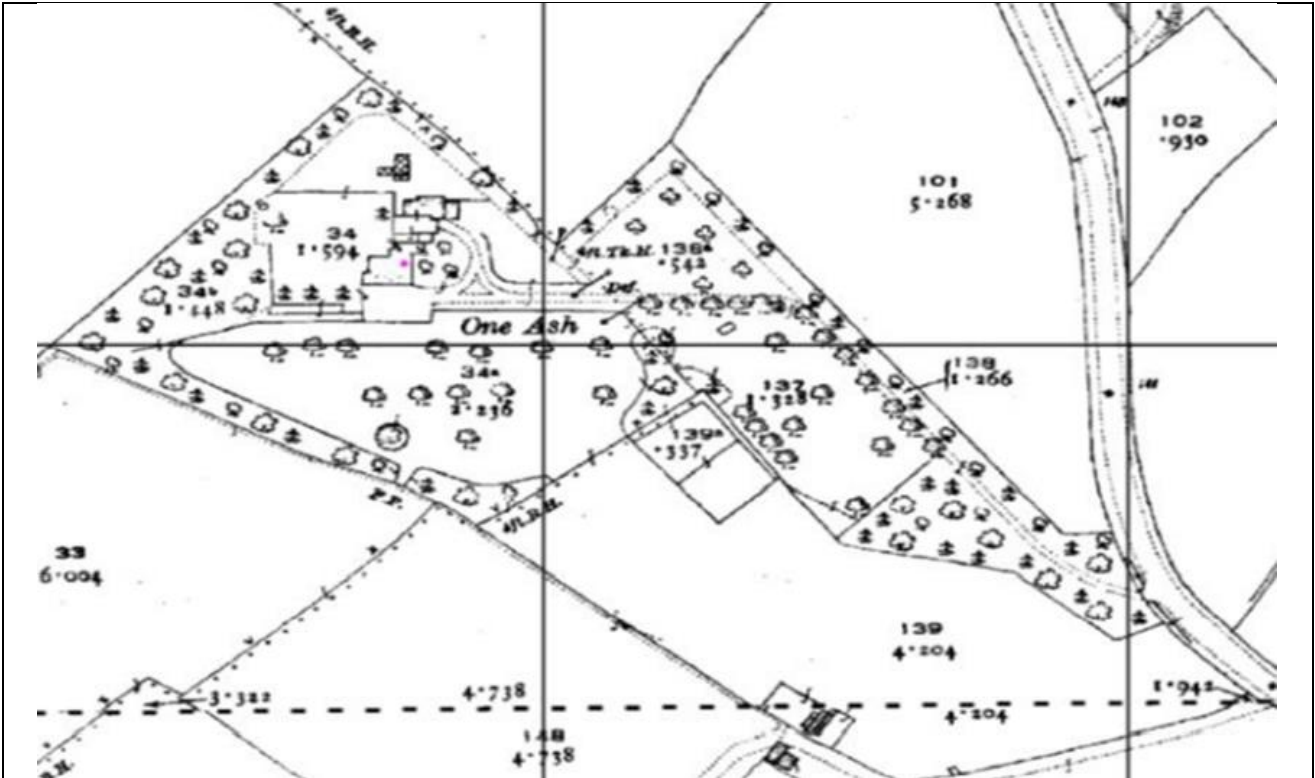


Figure 5d: 1919-21 Leicester Ordnance Survey Map

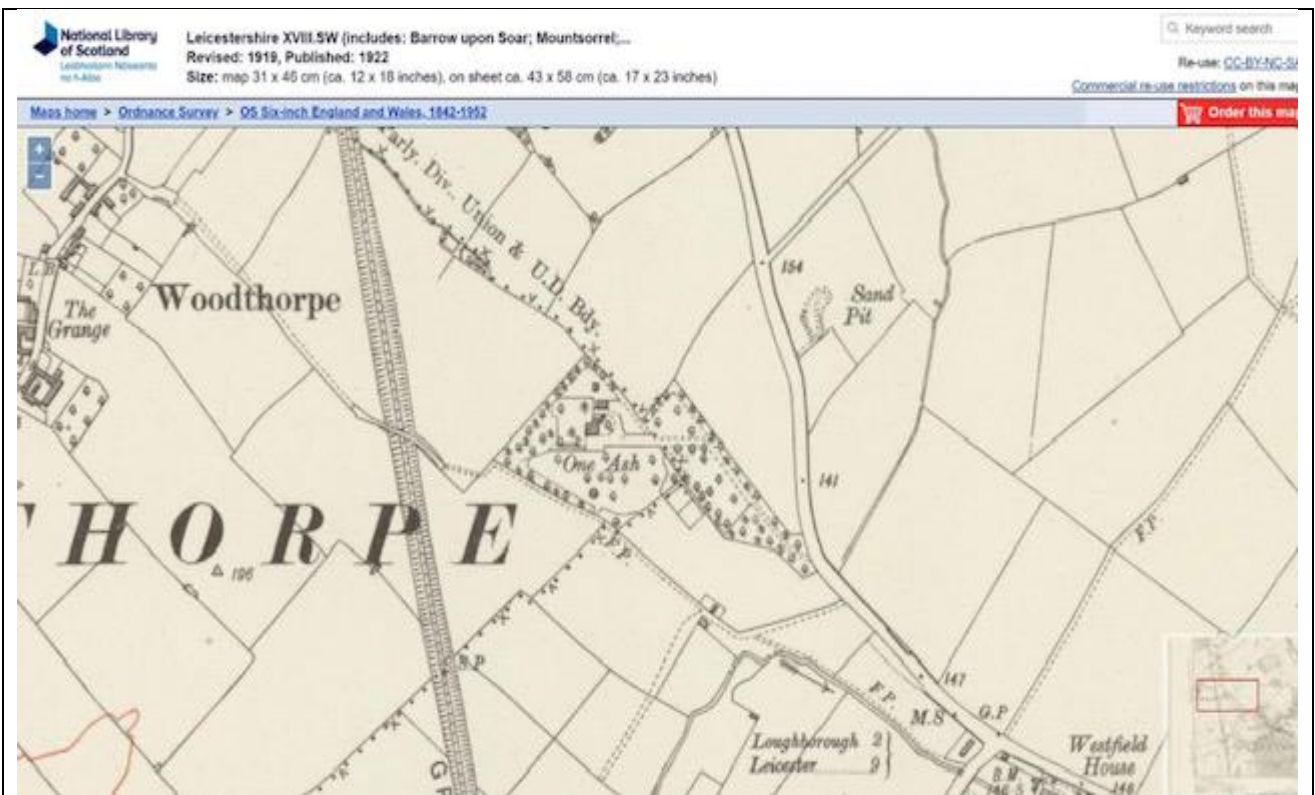


Figure 5e: 1922 Leicester Ordnance Survey Map



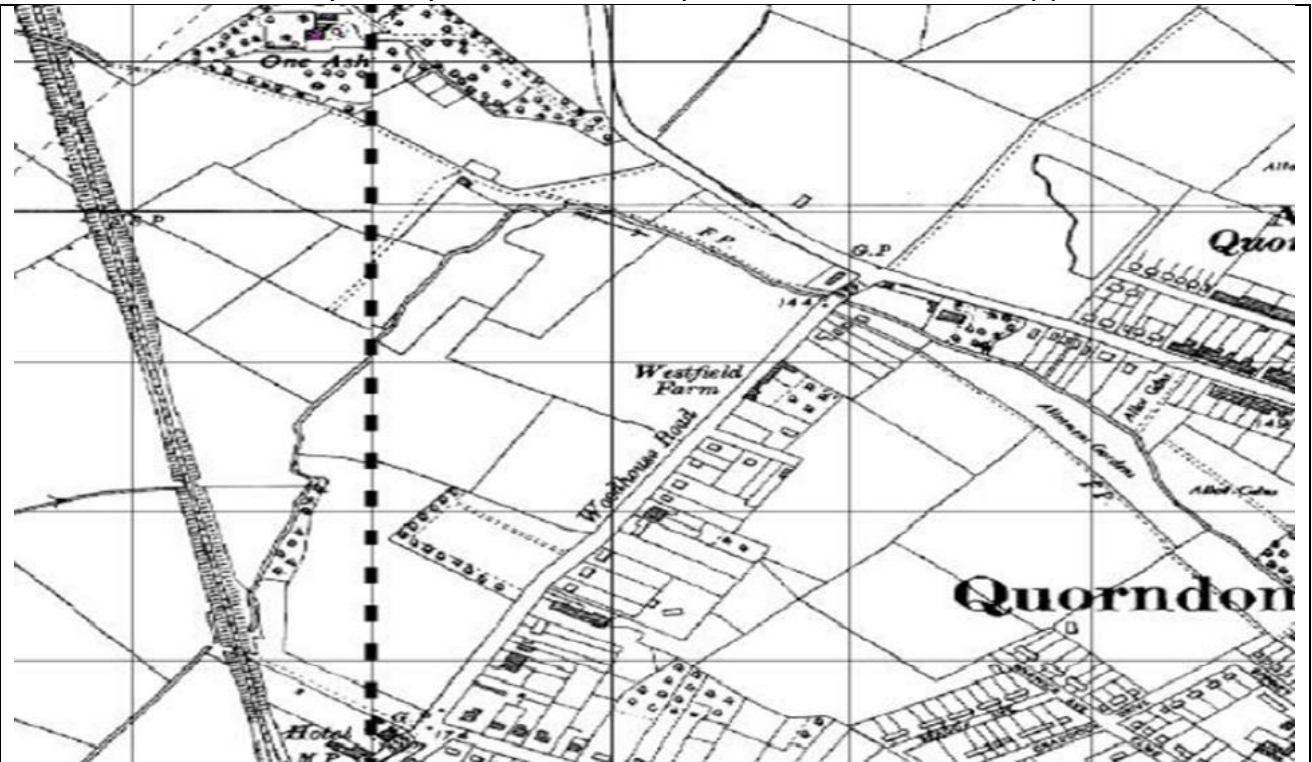


Figure 5f: 1955 Ordnance Survey Leicester Map.



Figure 5g: 1965 Ordnance Survey Plan.

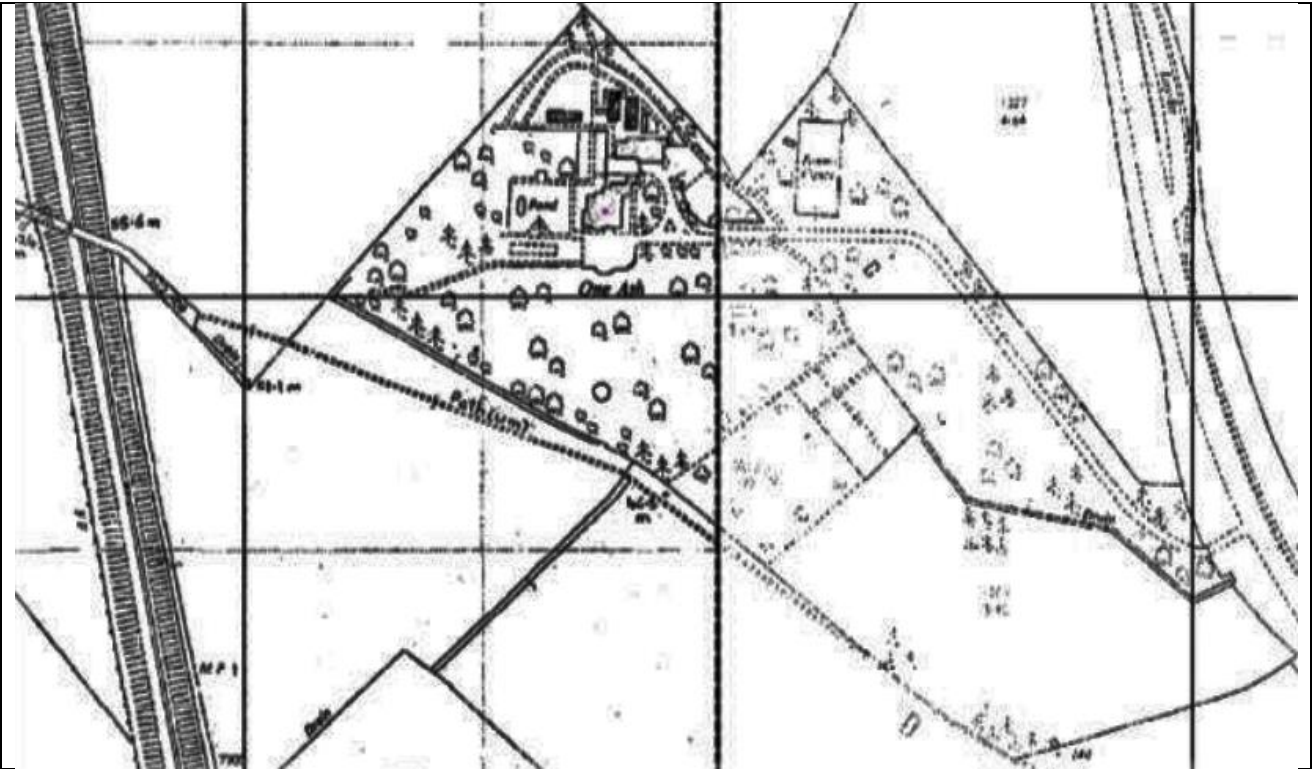


Figure 5h: 1978-92 Ordnance Survey - Survey of Information on Microfilm

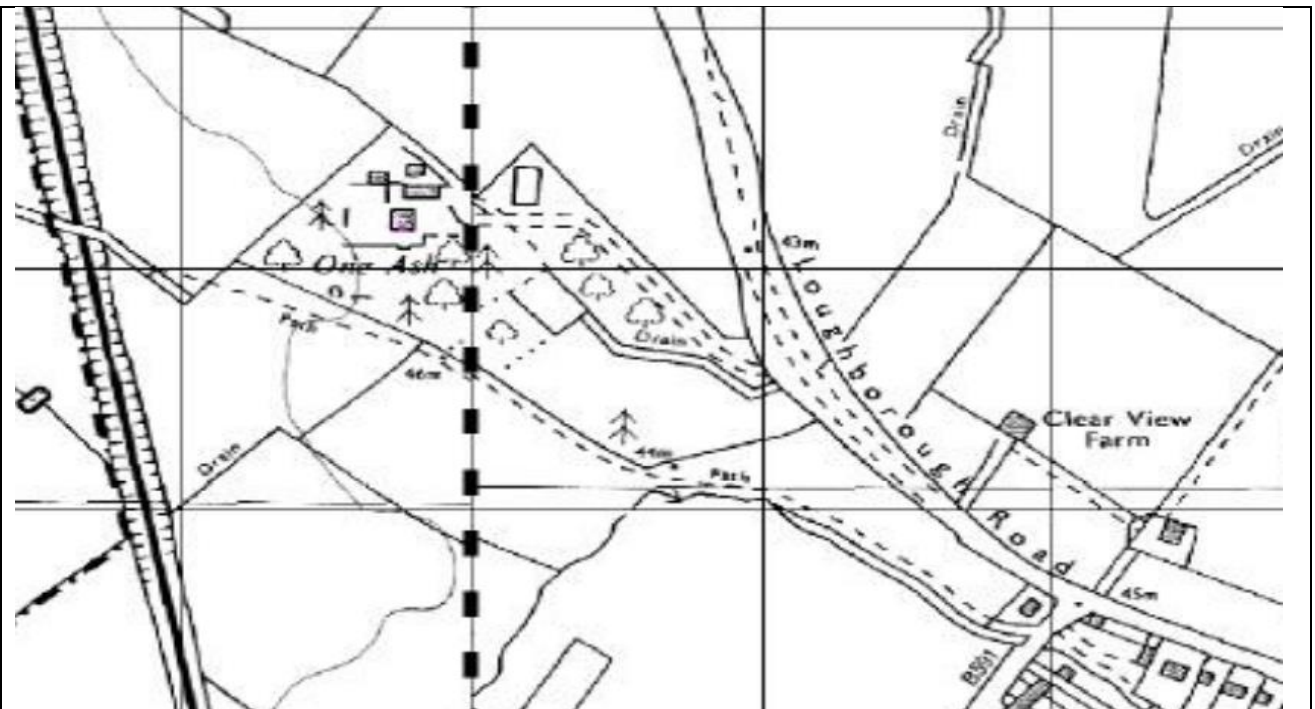


Figure 5i: 1973-74 Ordnance Survey Plan.





Figure 5j: 2015 Ordnance Survey Vector Map Local



Figure 5k: 2015 Ordnance Survey Land Ranger

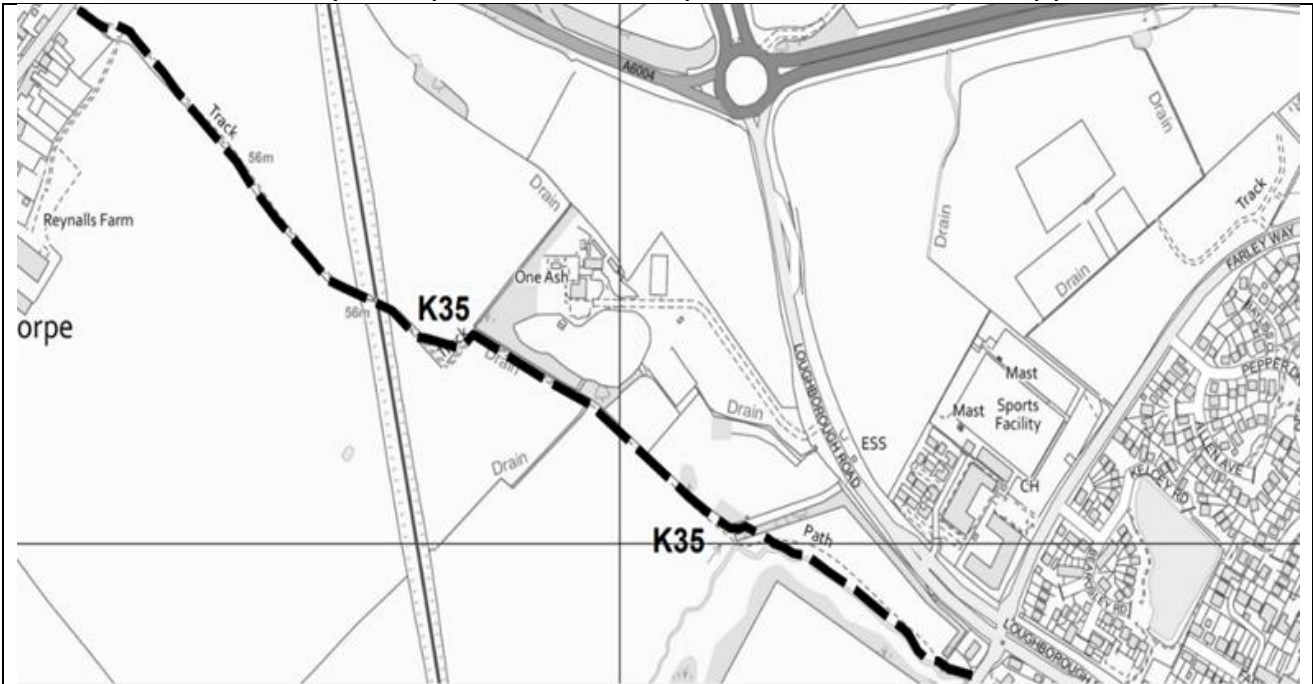


Figure 5I: 2021 The Leicestershire County Definitive map

#### 14. Heat Map

a. Object. Screenshot

b. Date. 2021

c. Relevance. This is relevant as it provides evidence of the footpath use.

d. Archive/Content. The App is provided by 'strava.com' and is free to use.

e. Meaning. This provides evidence of the history of use of the route over the last year through to 14 September 2021.

f. Assessment. The heatmap shows 'heat' made by aggregated, public activities such as walking, running, etc. over the last year. Areas with very little activity will not show, the more activity the brighter the display. Considering that not everyone has the app open the screen shot does show that the route has moderate usage.





Fig 5 – Screen shot of heat map relevant to the application.

## **15. Footpath Survey**

a. Object. Carbon Copy

b. Date. 1951

c. Relevance. The document is relevant as it provides evidence of a footpath survey

d. Archive/Content. The document from the Quorndon Parish Council Records

e. Meaning. This gives an insight into the status of the footpath in 1951

f. Assessment. The National Parks and Access to the Countryside Act 1949 required that every county in England had to as soon possible after the commencement of the Act, carry out a survey of all lands in their area over which a right of way was alleged to exist, and had within three years to, not later than the expiration of three years prepare a draft map of their area, showing footpaths or bridleways. In the 1950s, surveys of rights of way were carried out on a parish basis as the first stage in the



process of preparing a definitive map and statement for the area. It appears from the document that the Quorndon Parish Council and the Ramblers Association surveyed the footpaths in Quorn in April 1951 and the document was signed off by Surveyors on 26 May 1951. Item 10 applies to what is now footpath K35 and it was after this process when the designation K35 and PROW status were allocated. The text records the condition of the footpaths and highlights that in some cases after field ploughing the footpath route was not restored.

The survey of Quorndon did not include the section the subject of this application, including only the section of the route onward toward Woodthorpe, it is suggested that this indicates simply that the route was not considered in the survey and claimed as a right of way as by then it was believed to be a highway of a higher status passing through the One Ash estate for use by farm traffic accessing the fields beyond from the Loughborough Road. It is interesting to note there is no evidence to suggest a gate way or other access from or into the One Ash estate. Indeed the house and estate are access by separate gateways directly from the Loughborough Road.

<i>Surveyed by Council &amp; Ramblers Assoc. April 8<sup>th</sup> 1951</i>	8	F.P.	-	Continuation of No.7 after junction with No.9 across 3 arable fields to Moss's Lane and Quorn Lodge Farm. All stiles (2 or 3) and fieldgates including exit into lane in good condition.	<i>(as no)</i> <i>Good</i> <i>Walked</i>
	9	F.P.	-	Commence at Loughborough Road opposite Woodhouse Road along cart track in good condition to junction with Path No. 7.	<i>only about one new</i> <i>Good</i> <i>Walked</i>
	10	F.P.	-	From Woodhouse Road near junction with Loughborough Road through kissing gate into 1st field, which was ploughed for the first time in April 1951, to some extent and path not restored, except one small section. Stile in good condition between field No.2 and No.3. Field No.2 ploughed but not restored. Field No.3 ploughed and path restored to good condition. Gate between 3rd and 4th field wrecked, only two bars left. 4th field ploughed and footpath not restored. Exit into Loughborough Boundary at the Railway bridge.	<i>Awarded</i> <i>See notes in column 10</i> <i>Walked.</i>
	11	F.P.	-	Commence at Woodhouse Road near junction with Loughborough Road, Enters by kissing Gate between two private gardens, path continues between gardens to 2nd K.Gate, continued	<i>Awarded</i> <i>Very poor - especially in 1st Field</i> <i>Walked.</i>

Fig 6 – An extract from the 1951 Parish Council notes.

## OTHER USER EVIDENCE

### 16. Witness statements of usage & demand.

Witness statements of usage and demand are being submitted as part of the submission and the details of these are recorded on Form PT634 dated 20 September 2021.



### **17. Other Users.**

Several footpath users have contacted the group confirming their use of this footpath and expressing their surprise that it is not a recorded right of way some having walked the route for over 50 years.

The 'Quorn Litter Wombles' organised a litter pick along the route in March 2021 collecting a bag of litter indicating that the route is regularly used by walkers.

### **18. Additional Comment.**

I walk this footpath regularly from Quorn to Woodthorpe and onwards and have seen groups and lone walkers on the subject path at times. The route from where the K35 from Woodthorpe joins the subject link has been used by walkers for many years and students walking/cycling to Rawlins Academy to avoid the section from its junction and the Woodhouse Road which is regular very wet and muddy.

The Landowners and occupiers affected by this application have been notified using Form PT635 which forms part of this submission.

### **19. Council Support**

Quorndon Parish Council - The Quorndon Parish Council planning committee resolved at their meeting of 18 October to support this application and have provided a letter of support. See Appendix A.

County Council - Leicestershire County Council member for Quorn & Barrow Mrs. H. Fryer has provided a letter of support. See Appendix B.

## **PHOTOGRAPHIC EVIDENCE**

**20.** The following is a selection of photographs providing evidence of the footpath and its routing.



2017 – Aerial photograph showing the One Ash estate boundary (Blue lined) and the line of the subject path (yellow arrow) between Loughborough Road and K35. The deviation of the K35 east of the junction can clearly be seen (green arrow) with the actual route shown by the white arrow.



Extract from Ordinance Survey Map aerial also showing the line of this path between Loughborough Road and K35.



2017 Aerial photograph clearly showing the subject track from Loughborough Road through to its junction with the PROW K35





This photograph of a family walking the route was taken on 20<sup>th</sup> February 2021.



These two photographs were taken by walkers on September 11 and 17 2021 respectively illustrate the main access gate in the open position. The gate is sometimes closed but not normally locked.





This September 11, 2021, photograph illustrates the side footpath access as well as the gate in the open position. The side access is well used especially when the gate is closed.



This 2021 photograph illustrates the access gate which is not locked and the well-used side access to the footpath.



This 2021 photograph illustrates the access route looking towards the Loughborough Road from its junction with the K35.



		<p>Another 2021 photograph illustrates the access route looking towards the Loughborough Road from its junction with the K35.</p>
		<p>A walker's photograph walking toward the Loughborough Road.</p>
		<p>A walker's photograph taken at the Loughborough Road end of the route looking across the road to the entrance to 'Dust Moor' on September 17 2021. The earth works are the start of a new housing development.</p>

## 21. CONCLUSION

The maps and other documents detailed in this report which, over a period of time, and taken together, the Quorn Local History Group believe provide evidence of reputation that the route applied for, that being, the footpath/track that runs from the Loughborough Road to the Public Right of Way footpath identified as K35 within





the Civil Parish of Quorndon (Quorn) be shown and recorded as a Public Footpath as part of the public road network.

It is concluded that prior to the building of the country house known as One Ash in 1894 and the development of its grounds there was an ancient footpath/track that was used to access ancient manorial fields within Quorndon. Also, that this same footpath/track linked the hamlet of Woodthorpe to the Loughborough Road (from 1726 the Turnpike Road to London) in Quorn.

The footpath today identified as K35 followed the same route toward the Loughborough Road until at least the early 1900's when the evidence shows that an alternative footpath section went toward and joined the Woodhouse Road in Quorn. Although there is no written evidence it is not unreasonable to assume that the purpose of this was to prevent walkers from passing along the section that was now enclosed into the One Ash estate.

The subject route was awarded as a public horse carriage and drift road in 1763 and no evidence has come to light to date that public rights over it have since been extinguished. Despite some minor variations in some early maps, all of the maps and documents consistently show that the route has existed on the ground since 1752 and are also consistent with the route having been regarded as a public highway for all traffic. It has been demonstrated by user evidence that the route has been walked by

local residents and visitors for some years during which time there has been no efforts to restrict public access to the route. The assumption has been that the route is in fact a public right of way.

The QLHG agreed to investigate lost/unrecorded footpaths in the parish of Quorndon that it is not to say that the route could not be recorded as a Bridleway as for these purposes it would be well suited however, the representations from local people clearly indicate that the main use of the route is by walkers, rather than cyclists, horse riders or vehicular traffic (excepting farm equipment). It is therefore appropriate that the route should be recorded as a footpath.

The addition, of this proposed footpath between Loughborough Road, Quorn, and Public Right of Way footpath K35 will:

- give official recognition to this ancient link between communities and restore to its rightful position as a public right of way.



- provide and protect an important link between the communities of Woodthorpe and Quorn
- the link will ensure that the communities have safe access to the Quorn schools, shops, workplaces, and other facilities for walkers during all weather conditions.
- provide an alternative route to the section of K35 which is often restricted due to the flooding of the section of K35 between this link and the Woodhouse Road
- cater for the needs of walkers from the newly approved and proposed housing developments in both Quorn and Woodthorpe
- will meet the current and future needs of the public.

It is for these reasons that the Quorn Local History Group submits this application in good faith and following an identifiable need from its members and the wider community.

It is recommended that the Definitive Map be modified to include this footpath.

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## Appendix A – Quorn Parish Council letter of support



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Quorn Local History Group  
c/o The Old School  
School Lane  
Quorn  
Leics  
LE12 8BL

18<sup>th</sup> October 2021

Dear Mr Marchant

Thank you for the copy of the recently updated Quorn Local History Group Footpath Project Summary Document and for continuing to keep the council informed of progress.

The council would have no objection and supports the QLHG Definitive Map application to add a new Quorn footpath linking Loughborough Road to the K32 Public Right Of Way, Quorn particularly as this ensures that this popular walk and links between villages and developments remains accessible for the future.

Regards



Eliza Hill CILCA PSLCC  
Parish Manager

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Parish Manager – Eliza Hill  
The Parish Office  
The Old School School Lane,  
Quorn LE12 8BL  
Telephone: 01509 458278  
[parishmanager@quorndon.org](mailto:parishmanager@quorndon.org)  
[www.quormparishcouncil.org.uk](http://www.quormparishcouncil.org.uk)





## Appendix B – Leicestershire County Council member for Quorn & Barrow Mrs. H. Fryer letter of support

**From:** "Mrs. H. Fryer" <Hilary.Fryer@leics.gov.uk>

**Date:** 18 October 2021 at 06:39:06 BST

**To:** Dennis Marchant <dennismarchant@outlook.com>

**Subject:** RE: Quorn local History Groups - Definitive Map Modification Order

Thank you very much Dennis. I fully support all the work you and the Groups are doing regarding the footpaths.

Very best wishes,

Hilary