

## **Research on North Riding Unclassified Roads 20<sup>th</sup> November 2019**

1. The Council is obliged to maintain a public record of streets that it maintains. A street is defined as any highway and so includes public paths, but there is no requirement to publish information as to the status of each street.
2. However, the Council is also required to contribute to the National Street Gazetteer. The NSG is a digital record of all highways plus private roads serving at least two premises. Each street has a code indicating whether publicly maintained and the subset of streets with this code should correspond with the list of streets. Each street also has a code showing what public rights exist, or whether not known and under investigation. There is no statutory requirement for this data to be available to the public, but as the data could be obtained by a FOI request, this is a fine distinction. In any event, the Council helpfully carried out a data extraction that indicated that there are 727 streets in the County being investigated.
3. There are obvious problems with the Council not knowing which streets are public roads and which merely paths. The requirements for maintenance are quite different. It must make it difficult for the Council to respond to searches in respect of property served by the roads. It is clearly important for a prospective purchaser to know whether an access track is a public road or not. For the Council to say it doesn't know is to beg the question of why the applicant is paying good money for this information. For the Council to fudge the issue by saying that the access is publicly maintainable without pointing out that this might only be to a footpath standard is to risk accusations of giving misleading information if it subsequently argued that the access is not a public road.
4. In general terms, the streets with unknown status are green lanes that have not been maintained suitable for vehicular traffic for decades and appear very similar to bridleways, but are on the list of streets because they were shown on records inherited from the previous authorities in 1974. Any local authority needs records and has to assume that they are correct unless found to be wrong, and the same logically applies to records from previous authorities. The problem here appears to be uncertainty as to whether the previous records are of all highways maintainable at public expense, or merely the vehicular roads.
5. There does seem to be a mistaken belief that the records handed over were the lists of streets and thus would have been a record of all publicly maintainable roads with no requirement for the status to be recorded. But before 1974 there was no requirement for county areas to have lists of streets. Instead the records handed over were internal documents that were not required to be available for public inspection. The question then is what records the previous counties kept for their own operational needs. Of course, these well might differ between the counties. The

remainder of this presentation describes research into the records of the former North Riding which accounted for over 60% of the streets requiring investigation.

6. Until 1868 the minor roads were the responsibility of more than 600 parishes. From 1868 to 1897 they came under highway boards, and from 1897 to 1930 under the rural districts. The North Riding only became responsible for unclassified roads in 1930 and so the research looked at the Council records from 1930 until the abolition of the County in 1974.
7. There are a number of records, not always consistent with each other. In 1929 the Clerk to the Council requested information on roads from the district councils in the form of numbered one inch maps and very detailed schedules of information about each road. Around 1930 the Council prepared its own consolidated six inch maps and schedules, apparently based on the district information but also including some "additional roads" that appear to have come from the knowledge of the very many staff that transferred from the districts. The County records have survived. The district records were apparently lost in the 1950s, but the detailed instructions for preparing them have survived.
8. In 1941 a new set of schedules was prepared. This differed from the previous schedules in establishing a road hierarchy of five types from through roads to green lanes. The roads included in the new schedules are almost all copied from the previous schedules, apart from a small number of new adoptions and roads inherited from abolished urban districts in 1932 and 1934. The 1941 schedule continued to be used at least up to 1974 and still survives. A large number of changes have been pencilled in, particularly in respect of numerous new adoptions from the 1950s onward.
9. There is evidence that these roads were plotted on 6" sheets in the early 1950s. These plans cannot now be located, but they may still exist in some forgotten plan chest at County Hall. In any event, a smaller scale copy on a 1:25,000 base was made around 1960 and these plans do survive.
10. Almost all the green lanes that were still recorded in 1974 had been present since the original assembly of data around 1930. Some roads had been removed for developments such as airfields, but no less than 139 had disappeared from the record without any explanation, particularly in the earlier years. Many of these were included as public paths on the definitive map. Apart from a few discrepancies that seem to have been drafting errors on modern records, there are no indication that any more roads have disappeared since 1974.
11. To assist in further investigations, I have produced a data bank of information on the North Riding road records. These are now on a cloud site and can be inspected at <http://bajownxv.tkhcloudstorage.com>. This is part of my North Riding Bridleways Archive – see the folder entitled "Unclassified Roads". This includes my main report on the work, working papers and resource folders including the 1930 maps and

schedules, the 1941 schedules as images and retyped, a reconstruction of the 1950 maps based on the schedules, the 1960 maps both as original images and reconstructed and a summary schedule for each of over 600 roads in the former North Riding that are either of unknown status on the NSG or were recorded in 1941 and are now shown as white roads on OS mapping. Please feel free to download this data (or anything else in the North Riding Bridleways Archive).

12. Although there are a few minor inconsistencies between the records, the fact remains that most of the roads identified for examination were recorded in the data collected by the North Riding around 1930 and remained consistently on the various records right through to 1974. The fact that so many were removed at various stages implies that the original records were not accepted blindly, but were subject to some sort of critical review from time to time which should give greater confidence in the accuracy of the roads that are still on the record.
13. In terms of the status of the roads recorded, all the evidence point in the same direction. The information collected around 1930 was intended to be limited to vehicular roads and not public paths. Throughout the period of the North Riding the staff believed the record to be of vehicular roads and this was used as a basis for highway maintenance, the answering of property searches and the preparation of the definitive map which with very few exceptions showed the public paths and unclassified roads as mutually exclusive networks. In my view, there can be no reasonable doubt that the information on unclassified roads passed over by the North Riding in 1974 was of vehicular highways only and should be assumed by the Council to be correct in the absence of evidence to the contrary. Thus, the Council actually does know the status of most of the roads on the NSG reputed to be of unknown status.
14. I also feel that there is a need for a further examination of over 100 roads that the North Riding removed from the record without due process. Of course, the Council would have been entitled to do this had it discovered that there had been a mistake in previous records and the road did not exist at all or was merely a public path. But there is rarely any record of any decisions and one would naturally assume that the information supplied by the rural districts in the era when roads were painstakingly maintained by hand would have been accurate. My suspicion is that the records became regarded by the Surveyor's staff as records of road that actually were maintained, rather than those that were required to be maintained. As motor transport took over in the countryside, most roads were given improved surfaces but others were effectively abandoned and removed from the record.

John Sugden  
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