

## **ABSTRACT**

Public footpaths and countryside access became a highly politicised issue in Britain in the first half of the twentieth century - this was a period in which public awareness of the importance of the public rights of way network grew rapidly, even as its existence was coming under threat. Detailed consideration of archival sources from local authorities shows that landowners and local councils were often at odds over the status and maintenance of roads and paths, and many roads were downgraded in status to public rights of way in the interwar period. The implementation of the 1932 Rights of Way Act is shown to have been more significant than previously thought, underpinning later work in creating the 'definitive map' in the post-war period. Finally, the article considers the considerable impact of the Second World War on the public rights of way network which resulted in the permanent loss of both roads and paths. The development, and public awareness, of the public rights of way network in this period is crucial to understanding post-war approaches to countryside access, and for the challenge of preserving footpaths in the future.

## **KEYWORDS**

roads; britain; footpaths; norfolk; public rights of way; twentieth century

## **INTRODUCTION**

The modern network of rights of way in England has a long and complex history, but the evolution of this network, and the ways in which it has been influenced and shaped by various factors, have received surprisingly little attention from historians and historical geographers. Paths, tracks and roads were established over a long period of time to serve functional, local needs, and played an important role in shaping rural communities' experience of their immediate surroundings. However, the rights of way network as it exists today was profoundly affected by much more recent changes, with a number of critical developments occurring in the period c.1880-1960. These decades were of importance in terms of the survival and categorisation of rights of way, as new pressures were felt in the rural landscape and the issue of countryside access became increasingly important in a political context. In the 1920s and 1930s the growing use of motor vehicles and farm machinery placed new demands on many routes and contributed to the drawing of sharper divisions between roads and other public rights of way.<sup>1</sup> Wartime demands for training areas and airfields also contributed to the closure or diversion of footpaths and roads, initially temporarily but in some cases becoming permanent. Throughout the first half of the twentieth century there was a growing interest in securing access to the countryside for walking, cycling and motoring and routes which had developed to provide local access took on new meaning and significance through their potential to facilitate leisure and recreation pursuits. By the 1930s the question of countryside access had become a

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<sup>1</sup> T. Rowley, *The English Landscape in the Twentieth Century*, London, 2006, 27-28.

highly charged and politicised issue and the need to map and define rights of way had been officially recognised, first in the provisions of the 1932 Rights of Way Act and, more comprehensively, in the National Parks and Access to the Countryside Act of 1949.<sup>2</sup>

Existing studies of the development of the rights of way network have focused on a selection of inter-related issues mainly concerning definitions and legal status, legislation and management, and the competing demands of access for recreation and other forms of rural land use.<sup>3</sup> Historians and geographers have recognised the influence of long term processes such as enclosure and landownership in shaping the network, and have drawn attention to some of the ways in which routes could be added or lost, but such issues tend to be incidental to wider narratives around access and landscape management.<sup>4</sup> There has been little detailed work on the development of rights of way themselves in terms of their landscape context or the ways in which they were viewed and used. In discussions of the development of rights of way there has tended to be more interest in events rather than processes. Two particular events loom large: the Kinder Scout Mass Trespass of 1932, the significance of which continues to be a source of debate, and the passing of the National Parks and Access to the Countryside Act in 1949.<sup>5</sup> This Act formally set out the process by which rights of way were to be identified, recorded and mapped, an undertaking which proved to be rather more time-consuming and fraught with difficulty than was initially envisioned. However, alongside these important events there were other processes at work which also shed light on the development of rights of way and the significance of the decades before 1949. For example, 1932 was also the year in which the Rights of Way Act was passed, following on from a series of unsuccessful bills, the first of which had been proposed in 1906.<sup>6</sup> It has been characterised as a weak and compromised piece of legislation but, as contemporary documents make clear, it generated considerable interest at the time and led to a flurry of activity among local authorities and organisations such as the Commons, Open Spaces and Footpath Preservation Society (COSPFPS), who saw it as an opportunity to more clearly define rights of way, and to challenge the pre-

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<sup>2</sup> R.W. Hoyle, Securing access to England's uplands; or how the 1945 revolution petered out, in: R. Congost and R. Santos (Eds) *Contexts of property: the social embeddedness of property rights in historical perspective*, Turnhout, 2010, 187-209; G. Parker and N. Ravenscroft, Benevolence, nationalism and hegemony: fifty years of the National Parks and Access to the Countryside Act 1949, *Leisure Studies* 18, 2009, 299-300; D. Matless, *Landscape and Englishness*, London, 1998, 70-3.

<sup>3</sup> C. Watkins (Ed), *Rights of Way: Policy, Culture and Management*, London, 1996; G. Kay, *Access for Countryside Walking: Politics, Provision and Need*, Stafford, 2002.

<sup>4</sup> M. Shoard, *A Right to Roam*, Oxford, 1999.

<sup>5</sup> Shoard, *A Right to Roam*, 1999; D. Hey, Kinder Scout and the Legend of the Mass Trespass in *Agricultural History Review* 59:2, 2011, 199-216; H. Taylor, *A Claim on the Countryside: a history of the British Outdoor Movement*, Edinburgh, 1997; J. K. Walton, The Northern Rambler: Recreational Walking and the Popular Politics of Industrial England, from Peterloo to the 1930s in *Labour History Review* 78:3, 2013, 243-268; Parker and Ravenscroft, Benevolence, nationalism and hegemony, 299-300; A. Howkins, *The Death of Rural England: A social history of the countryside since 1900*, London, 2003, 192-3.

<sup>6</sup> M. Shoard, *This Land is Our Land*, London, 1987, 323.

eminence of landowners in decisions over access.<sup>7</sup> The 1932 Act also established the idea of definitive maps and statements for recording rights of way, though did not propose the comprehensive survey that was mandated by the 1949 Act.<sup>8</sup>

This period saw the formation of a number of organisations and groups who took a particular interest in public rights of way and countryside access. The Commons Preservation Society was founded in 1865 (in 1899 it merged with the National Footpath Preservation Society to form COSPFS), and became immediately involved in a number of high-profile disputes over the enclosure and loss of public access to commons and open spaces around London.<sup>9</sup> The Society provided specialist legal advice to local residents, and helped to gather evidence for challenging public access in the courts. Their publications and press coverage helped to cement the idea that the public had a right to enjoy access to commons and open spaces.<sup>10</sup> Other groups followed, notably in upland areas of England - the Lake District Defence Society was founded in 1883, and the Access to Mountains group in 1884.<sup>11</sup> There was considerable overlap between the leading figures and members of these early organisations, many of whom were also involved in the formation of the National Trust in 1895.<sup>12</sup> The Council for the Preservation of Rural England (CPRE) was established in 1926 and sought to protect the rural landscape by campaigning on issues such as housing, transport, wildlife and planning, but without necessarily impeding progress and more sensitive development in rural areas.<sup>13</sup> In Norfolk the local branch of the CPRE was formed in 1933 and at the inaugural meeting the new committee discussed the need to protect the Norfolk countryside from 'the onslaught of so many admirers', and in particular tourists visiting the Norfolk coast and the Broads.<sup>14</sup> In other counties local footpath preservation societies were formed, some of whom published their own maps of public rights of way, prefiguring later work on the definitive map. An early example was produced by the Wirral Footpaths and Open Spaces Society in 1903, highlighting paths that were considered to be 'Disputed or Doubtful' and including a brief guide to footpath law on its cover.<sup>15</sup> In Norfolk it was COSPFS who took a leading role in supporting local communities to record, preserve and challenge public rights of access - parish councils could, and did, join the society as members and received

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<sup>7</sup> 'The Rights of Way Act, 1932', *Journal of the Commons, Open Space and Footpaths Preservation Society*, Vol.IV, No.2, (1935), 189-97.

<sup>8</sup> *Rights of Way Act 1932 (c.45)*, London.

<sup>9</sup> B. Cowell, The Commons Preservation Society and the Campaign for Berkhamsted Common 1866-70 in *Rural History* 13:2, 2002, 145-161.

<sup>10</sup> Cowell, *The Commons Preservation Society*, 2002, 158.

<sup>11</sup> J. Ranlett, 'Checking Nature's Desecration': Late Victorian Environmental Organisations in *Victorian Studies* 26:2, 1983, 197-222.

<sup>12</sup> A. Swenson, *The Rise of Heritage: Preserving the Past in France, Germany and England 1789-1914*, Cambridge, 2013, 79.

<sup>13</sup> G. Willis, 'An Arena of Glorious Work': The Protection of the Rural Landscape Against the Demands of Britain's Second World War Effort in *Rural History* 29:2, 2018, 259-280, 260.

<sup>14</sup> E. W. Young, *Sixty Years of the Norfolk Society*, Dereham, 1996, 5.

<sup>15</sup> Wirral Footpaths and Preservation Society, *Map of North Wirral, Cheshire*, Liverpool, 1903. Later examples include Examples include Cambridge Preservation Society, *Cambridge and District Footpath Map*, 1936; *Oxford and District Footpaths, Bridleways and Commons Map*, 1936.

advice on a range of issues relating to public footpaths. This was a particular specialism of the officers of the COSFPS, whose expertise had been honed on those early cases of enclosure and public access in the nineteenth century, and whose success in the courts helped to build confidence in their support and advice.<sup>16</sup>

The complexity and diversity of change in the landscape in the period after 1870 has been recognised and discussed in a number of recent studies. These have questioned established narratives of decline and stagnation and have instead sought to emphasise the impact of modernity in various forms, the development of mechanised agriculture (and its attendant environmental impact) and the growing importance attached to planning and conservation.<sup>17</sup> In Norfolk the overarching themes of this period were decline in the population of rural parishes (two-thirds experienced a decline between 1851 and 1951), diversification of farming practices and a reconfiguring of the landscape through processes such as hedgerow removal and the amalgamation of fields.<sup>18</sup> Developments were, however, far from uniform across the county. Moves towards large scale modern mechanised farming on light soils in the west of the county, for example, were hardly suited to the small owner-occupied farms on the claylands found in the south east.<sup>19</sup> The changes taking place in the rights of way network at this time therefore need to be seen within this context, as part of a reconfiguring of rural landscape and society, at a time when perceptions of the countryside, and of its meaning, value and purpose, were also being reshaped. In times of national crisis, particularly during wartime, the landscape itself was subservient to the needs of the nation and could be requisitioned at will for military purposes. This was a period in which local authorities had a growing responsibility for making decisions which shaped the rural landscape, and Shoard points to the continuing power of landowners who often also served as local councillors as a factor in the decreasing number of public rights of ways in the twentieth century.<sup>20</sup> The figure of the rural landowner is a powerful one in the narrative of countryside access. Landowners, and in some cases local authorities, were seen as 'gatekeepers' to the countryside, allowing access to private land to certain groups, such as camping clubs, whilst trying to restrict open access to the countryside in general.<sup>21</sup> In some cases, however, as the evidence from Norfolk shows, councillors were often acting against large landowners and actively defending local public rights of way. This period was also shaped by the increasing number of people using the countryside for recreation but this is often considered largely from the perspective of those coming into the countryside, usually from urban centres, for walking, cycling, camping and other activities - in Norfolk such activity was concentrated in certain areas

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<sup>16</sup> Ranlett, *Checking Nature's Desecration*, 218.

<sup>17</sup> K. Bluemel and M. McCluskey (eds), *Rural Modernity in Britain: A Critical Intervention*, Edinburgh, 2018; P. Brassley, J. Burchardt and L. Thompson (eds) *The English Countryside Between the Wars: Regeneration or Decline?* Woodbridge, 2006; J. Sheail, *An Environmental History of Twentieth-Century Britain*, Basingstoke, 2002.

<sup>18</sup> S. Wade Martins and T. Williamson, *The Countryside of East Anglia: Changing Landscapes 1870-1950*, Woodbridge, 2008.

<sup>19</sup> Wade Martins and Williamson, *Change in the Countryside*, 29-44.

<sup>20</sup> Shoard, *Right to Roam*, 345.

<sup>21</sup> C. Harrison, *Countryside Recreation in a Changing Society*, London, 1991, p27.

of the county. More rarely have historians focused on the perspective of people already living in the dense network of villages, farms and hamlets within the countryside who used the public rights of way network on a daily basis to move around the landscape, for both recreational and practical reasons.<sup>22</sup> Shoard's work provides one exception to this, with an emphasis on the importance of the 'feet of a substantial rural population going about its business and pleasure'.<sup>23</sup>

Recreational walking and cycling grew in popularity during this period and helped to define and shape public and political debates around the countryside, the right to roam and the public rights of way network. In Norfolk such activity was focused on certain areas of the county, particularly on the coastline and the Norfolk Broads, both of which were popular tourist destinations from the late nineteenth century onwards. Contemporary publications on local topography and history, aimed largely at visitors, often focused on these regions. In 1900 Dent's *County Guide* for Norfolk by William Dutt focused mainly on the Broads and the coast, but included one itinerary based in Thetford, in Breckland, noting that 'many tourists leave Norfolk without exploring one of the most interesting parts of the county'.<sup>24</sup> Norfolk was also recommended as a destination particularly suited to cycling – Dutt noted that the roads and lanes of the county were much improved since the formation of the county council.<sup>25</sup> The Norfolk Broads, a large area of interlinked wetlands, lakes and rivers in East Norfolk, first came to national prominence as a tourist destination in the late nineteenth century, with various boatyards hiring wherries and pleasure boats, good rail links with Norwich and Yarmouth (and therefore with London), and a large number of guidebooks aimed at tourists.<sup>26</sup> By 1938 the annual number of visitors to the Broads had reached 100,000, rising to 200,000 by 1955.<sup>27</sup> Leisure became critical to the local economy, with both traditional sailing and motor cruising increasing in popularity. Day trips and cruises around the rivers and broads were augmented by the highly localised use of public rights of way alongside the banks, and to access historical sites such as St Benet's Abbey, near Ludham.

Cycling was particularly important in interwar Norfolk, the gentle topography lending itself to early forms of road racing as well as local excursions. Dutt recorded the existence of local cycling clubs in 1900, and the number increased during the early twentieth century. In June 1935, at a local race organised by the Mid-Norfolk Wheelers, competitors were drawn from eight local cycling clubs and attracted from more distant locations including Luton and Doncaster.<sup>28</sup> As well as racing on the lanes and roads of Norfolk, local cyclists and walkers actively used the network of public rights of way to mount excursions and for daily use. In 1914

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<sup>22</sup> Kay, *Access for Countryside Walking*; Rowley, *English Landscape*; Walton, *The Northern Rambler*, Howkins, *Death of Rural England*.

<sup>23</sup> Shoard, *Right to Roam*, 343.

<sup>24</sup> W. Dutt, *Dent's County Guides: Norfolk*, London, 1900, 48.

<sup>25</sup> Dutt, *Norfolk*, 243.

<sup>26</sup> D. Matless, *In the Nature of Landscape: Cultural Geography on the Norfolk Broads*, London, 2014, 59.

<sup>27</sup> Nature Conservancy Council Report on the Norfolk Broads, 1965, quoted in Matless, *In the Nature of Landscape*, 78.

<sup>28</sup> Mid-Norfolk Wheelers Cycling Club Records, 1933-76, NRO MC/3496.

Malcolm Castle cycled every day from Gorleston, on the east coast, inland to the neighbouring village of Burgh Castle to visit his fiancée, Gladys. They would often cycle together, and his diary records in detail their walking and cycling routes around the lanes and villages of the area, including over the county boundary into Suffolk.<sup>29</sup> One of their favourite destinations was the secluded and tree-lined Blocka Lane, which crossed the River Waveney into Suffolk – it is now a public bridleway, one of the many lanes which were downgraded in status by local councils in the interwar period. Local organisations involved in conservation and preservation mounted frequent excursions for their members and again the most popular destinations were the Broads and the coast. Other parts of the county continued to prove less attractive: in 1947 the Norfolk and Norwich Naturalists noted that a planned ‘walking excursion in Breckland’ had been ‘abandoned through lack of support: a few members visited the East Wretham area by car’.<sup>30</sup> For local communities the public rights of way network as a whole offered opportunities for walking and cycling as a means to get to work, school and church but also for leisure, and for pleasure. Even then, some footpaths were used more than others – the fragmentation of the public rights of way network in Breckland in particular meant that it was perhaps harder to plan trips and excursions for walking and cycling than in areas where the network was much denser or subject to more frequent use.

J.B. Cullingworth, surveying the challenges of town and country planning in 1963, opened his discussion of public rights of way by stating that ‘the origin of a large number of footpaths is obscure.’<sup>31</sup> As outlined above, the history of countryside access, and accompanying legislative changes and disputes, is well understood and has been analysed in various contexts; but we understand less about the paths themselves and the factors which have shaped their location, appearance and use. Such routes could certainly have a long history of usage stretching back hundreds, and perhaps in some cases thousands of years, but they were also subject to more recent pressures and changes and it is these to which we direct our attention here. Gaining a clearer understanding of the recent history of the rights of way network is important for several reasons. Firstly, in examining changes in status and use in the early twentieth century it is possible to shed light on some of the challenges facing those tasked with drawing up the definitive maps in the 1950s and 1960s. Secondly, it provides a fuller and more nuanced understanding of rights of way as important landscape features, particularly where routes have a tangible physical presence, rather than existing purely as a right of access across a particular piece of land. The importance of understanding this history in more detail has been sharpened recently, under the Countryside and Rights of Way Act (2000) historic public rights of way which are not currently part of the definitive map must be added to the map by 2026 - any not added by this date will be considered to have been extinguished as rights of way.<sup>32</sup> Finally, a more detailed study of rights of

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<sup>29</sup> Diary of Malcolm Castle, March to December 1914, NRO MC/657/1/790X6.

<sup>30</sup> Transactions of the Norfolk and Norwich Naturalists Society, *Hon. Secretary's Report for 1947*, 14:4, 264.

<sup>31</sup> J.B. Cullingworth, *Town and Country Planning in England and Wales*, London, 1963, 179.

<sup>32</sup> *Countryside and Rights of Way Act 2000 c.37*, London; S. Bucks and P. Wadey, *Rights of Way: Restoring the Record*, Ilminster, 2012.

way draws attention to the actions and agency of different groups and individuals. Landowners inevitably figure as significant actors, but so too do local authorities, conservation groups and, at a local level, those individuals who used the routes to exercise their right of way.

The county of Norfolk is used here as a case-study to illustrate the evolution of route networks in the period 1880 to 1960 and the extent to which changes in this period influenced the survival or loss of rights of way which shape current patterns of access. As a large and predominantly rural county Norfolk presents a range of landscape types, landholding structures and settlement patterns.<sup>33</sup> Each of these factors played some role in the long-term evolution of route networks and led to considerable variations across the county, influenced by, for example, the size and location of landed estates or the incidence and impact of parliamentary enclosure in the eighteenth and nineteenth centuries. However, the key period of change has been the more recent past and developments in the first fifty years of the twentieth century shaped much of the public rights of way network that exists today. This was the period in which the public rights of way network began to be mapped and defined for the first time, a process which took place amidst a growing interest in access to the countryside for recreation and increasing concerns about potential loss of access as the countryside was subjected to new pressures.<sup>34</sup> In Norfolk such pressures included extensive use of land by the military through the construction of numerous airfields and, more dramatically, in the creation of the Stanford Battle Training Area in 1942, covering an area of over 12,000 hectares near Thetford.

The modern network of public rights of way in Norfolk (Fig. 1) comprises 3,833 kilometres of footpaths, bridleways, restricted byways and byways open to all traffic (BOATs).<sup>35</sup> Footpaths account for the majority of these rights of way, 2,701 kilometres in total, with 572 kilometres of bridleways and 560 kilometres of byways. The overall pattern and varied density across the county is in part the legacy of landscape change in the eighteenth and nineteenth centuries. There are comparatively few public rights of way in the north and west of the county; areas which were dominated by large landed estates whose owners actively sought to remove public rights of way from the landscape through enclosure and the use of road closure orders.<sup>36</sup> The parishes of Anmer, Beeston, Houghton and Sandringham are among those with the fewest public rights of ways in the county and all contained the mansion and park at the centre of a large estate. Conversely, in the south and east of the county there is a notably dense network of public rights of way. The heavier clay soils which predominate here have historically led to more varied patterns of landownership with fewer large

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<sup>33</sup> T. Williamson, *East Anglia*, London, 2006, 1-12.

<sup>34</sup> Rowley, *The English Landscape in the Twentieth Century*, 413.

<sup>35</sup> The dataset of the definitive map is maintained by Norfolk County Council and can be accessed online <https://www.norfolk.gov.uk/out-and-about-in-norfolk/public-rights-of-way/map-and-statement-of-public-rights-of-way-in-norfolk>, last accessed 25 July 2019.

<sup>36</sup> S. Wade Martins and T. Williamson, *Roots of Change: Farming and the Landscape in East Anglia c1700-1870*, Exeter, 1999, 10.

estates, with the result that the surviving network of footpaths and green lanes which linked commons, greens, woods, farms, churches and settlements is much denser than in the north and west of the county.<sup>37</sup> While a certain amount of regional difference must always have existed, this part of the county does give some indication of the historic extent of local access routes which would also once have existed elsewhere in Norfolk before c.1700.<sup>38</sup> However, while the overall pattern of public rights of way has been influenced by broader historic trends in farming, landownership and land use, it is the changes which took place in the twentieth century which help to explain the detail and variation seen in the modern pattern of rights of way at a local level.

### **ROADS AND GREEN LANES IN TWENTIETH CENTURY NORFOLK**

The distinction between roads and other rights of way is in many ways a modern one. At either end of the highways spectrum the distinctions were clear between a road subject to significant traffic and a footpath crossing a field, but between these two extremes there was a considerable grey area before the twentieth century. The clear differences in physical form and appearance which are evident today are often the result of the adoption of tarmac as a surfacing material and subsequent decisions about which roads to prioritise. A comparison between the large-scale Ordnance Survey maps of the 1880s and modern maps reveals that just over 700 kilometres of former public roads in Norfolk have since been 'downgraded' in status to the level of public footpaths, bridleways or byways (Fig. 2). A substantial proportion of the modern rights of way network (18%) therefore comprises former roads and this can have an important bearing on their appearance and landscape context. Many survive as significant features in the modern landscape; green lanes bounded on both sides with trees and hedgerows, with varying widths and degrees of erosion (Fig. 3). A 'green lane' has no legal definition, but can be characterised as an unsurfaced track which might also be bounded by a hedgerow, ditch or wall.<sup>39</sup> Over the course of the first half of the twentieth century a number of these routes were reclassified as rights of way and over half became bridleways or restricted byways (25% and 36% respectively), and therefore open to pedestrians, riders and cyclists, whilst 35% were classed as footpaths (for pedestrians only) and just 4% became byways open to all traffic (BOATs).

This process of reclassification was shaped by wider reforms in local government which were introduced in the late nineteenth century, creating new structures of administration and reorganising the ways in which roads and rights of way were managed and maintained. These developments affected routes at all levels, from major roads linking urban centres down to local footpaths. Many of the former had been under the

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<sup>37</sup> Wade Martins and Williamson, *Roots of Change*, 21.

<sup>38</sup> This dense pattern of rights of way on the claylands of south Norfolk continues across the county boundary onto the claylands of neighbouring Suffolk.

<sup>39</sup> Sydenham, *Public Rights of Way and Access to Land*, 7.



control of turnpike trusts until these were dissolved in the 1870s, with former turnpike roads subsequently classified as 'main roads' by the 1878 Highways Act. Repair of main roads was initially the responsibility of local Highway Boards but in 1888 passed to newly formed county councils as a result of the Local Government Act.<sup>40</sup> In 1894 a second Act introduced new levels of local administration with the formation of urban and rural district councils and, for parishes with more than 300 inhabitants, elected parish councils that took on tasks formerly managed by parish vestries. These new structures effectively created three tiers of management – main roads in the hands of county councils, other highways overseen by district councils and local rights of way coming under the remit of parish councils. Decisions about roads which had formerly been made at parish level were therefore removed to a higher level of district oversight. This new system of management relied on the existence of clear distinctions between different classes of roads and rights of way which did not always exist in practice, particularly when it came to lesser local routes.<sup>41</sup> From 1894 onwards the resolution of these issues often fell to the highways committees of newly formed district councils and the records of these committees provide a particularly valuable, though seldom used, source for this period, providing detailed insight into issues relating to classification, maintenance and administrative responsibility. District councils could potentially reduce the number of routes which they were responsible for in two ways: by seeking to have roads adopted as main roads in order to pass responsibility upwards to the county council, or by determining that a route was a right of way rather than a highway, thereby passing responsibility downwards to parish councils.

The minutes of the highways committees reveal details of the decision-making process which affected the maintenance, surfacing and grading of roads and lanes from the late nineteenth century onwards.<sup>42</sup> In 1900 the majority of the road network in England and Wales was under the control of the rural district councils, some 95,000 miles.<sup>43</sup> The Ministry of Transport was formed in 1919, but was principally concerned with coordinating schemes for major new roads bypassing large urban centres.<sup>44</sup> In a rural county like Norfolk decisions on surfacing and maintenance were therefore being made at a local level, with little strategic planning. The highways committee of each district council had different priorities and interests; some concerned themselves with public footpaths as well as roads, whilst others refused to deal with any footpath related matters and insisted that they were the responsibility of parish councils. The 1894 Local Government Act emphasised that the district council had a duty to 'protect' public rights of way by preventing them from being obstructed or removed, while parish councils had the power to use their funds for maintenance and

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<sup>40</sup> J.A. Chandler, *Explaining Local Government: Local Government in Britain since 1800*, Manchester, 2013, 56-7

<sup>41</sup> Chandler, *Explaining Local Government*, 99-107.

<sup>42</sup> Bucks and Wadey, *Rights of Ways: Restoring the Record*, 79.

<sup>43</sup> S. Webb and B. Webb, *English Local Government: The Story of the King's Highway*, London, 1913, 252. The responsibility, and expense, of maintaining these roads was eventually transferred to the county councils in 1929.

<sup>44</sup> Rowley, *The English Landscape in the Twentieth Century*, 29-31.

repair.<sup>45</sup> This division of responsibilities could give rise to confusion and disagreement within a district. For example, in 1895 Redenhall with Harleston parish council made a request that the district council should put a footpath in Harleston 'into good condition' and were told that 'as the footpath is primarily important to the parish itself and that the Parish Council have power to repair it the committee are of the opinion the Parish Council should undertake the repair and management of the footpath in question.'<sup>46</sup> Such cases were a recurring issue and in 1931 the clerk of the county council's highways committee wrote in frustration to all district councils to ask them to stop referring cases of footpath maintenance to county level and to instead remind parishes that they had 'all the necessary powers' for repairing paths.<sup>47</sup> At district level all committees had a vested interest in minimizing the total number of highways that were considered to be under their jurisdiction and therefore liable for maintenance and repair. Many of the discussions recorded in committee minutes thus deal with the question of roads which had not been adopted, and which would therefore not be part of new surfacing programme, or be subject to regular repairs and patching.

The question of whether a road or lane was public or private was taken seriously by all the highways committees, who spent a great deal of their time going back over previous minutes, and examining historic maps and documents such as enclosure awards and tithe apportionments to prove whether the route in question should be considered a public highway.<sup>48</sup> In the majority of cases, the committees declined to take on these debated roads or lanes, seeking to prove that they were private wherever possible. Complaints regarding maintenance, and the responsibility for carrying it out, were usually made by local residents or farmers, but in the interwar period the names of conservation and access groups begin to appear in council minutes. In 1935 the Commons, Open Spaces and Footpath Preservation Society (COSFPS) wrote to the Wayland Highways Committee to ask about Manor Road in Brettenham, an alleged public road which had been ploughed up (unsurfaced roads were vulnerable to plough damage, deliberate or otherwise).<sup>49</sup> The committee members inspected the road and determined that it was indeed a public highway, and that the track was 'clearly discernible' beneath the growing crop. The case rumbled on into the following year when the committee met the solicitor representing the farmer, who argued strongly for the 'danger' of considering the road as a public highway, as it would then be liable to repairs by the council if motorists and other vehicles began to use it. He also 'pointed out that it was apparently only the Roads, Commons Preservation Society [sic] (to whom a non-resident man had written) raising the question of enforcing the alleged rights'.<sup>50</sup> The solicitor also stressed that the owners were prepared to fight the district council, 'requiring the expense of

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<sup>45</sup> *Local Government Act 1894*, (56 & 57 Vict c.73) London, 17-18, 27.

<sup>46</sup> Depwade Highway Committee Minutes 1895-8, Norfolk Record Office (NRO), DC/2/4/7 .

<sup>47</sup> Thetford Highway Committee Minutes 1930-5, Norfolk Record Office (NRO), DC 8/1/11.

<sup>48</sup> T. Breen, Public or Private? An Analysis of the Legal Status of Rights of Way in Norfolk in *Landscapes* 18:1, 2017, 55-70.

<sup>49</sup> Wayland RDC Highways Minutes 1935-43, NRO, DC9/1/21.

<sup>50</sup> Wayland RDC Highways Minutes 1935-43, NRO, DC9/1/21.

the courts, and the need to get elderly residents to testify', as well as the lack of an enclosure map to prove that it was a public highway. His final point, that 'it was a matter for which there was no local feeling, as it was not even a road that hikers and similar visitors took', convinced the committee that they were fighting a losing battle.<sup>51</sup> They agreed to officially acknowledge that it was a public right of way, but also to quietly drop the matter of reopening Manor Road as a highway. Manor Road does not appear on the definitive map as a public right of way, or on modern Ordnance Survey maps. The case of Manor Road illustrates one way in which rural routes could 'disappear' in this period, and also highlights a suspicion of outside interference, in this case from the COSFPS and their 'non-resident' correspondent, where this threatened to impinge on the actions of farmers and landowners.

A similar case in the parish of Merton highlights the ways in which confusion could arise over tracks and paths which had an unclear legal status, but which were nevertheless regularly used by local residents. In 1942 the Wayland Highways Committee entered into an argument with the local landowner Lord Walsingham about the state of a bridleway across Merton Common, which was shown as a road on the 1880s Ordnance Survey map and was therefore considered to be within the remit of the district council. The Committee claimed that Lord Walsingham was obstructing the route, which he forcefully disputed in his written response:

I told you that I knew it was a right of way, subsequent researches however prove that it was not... Of course we all know that people have used it as a short cut from Merton to Watton - and as a place to stroll in and picnic in the summer, but if such use constitutes a public highway or any sort of right of way, practically every square yard of my property might be so classified, for people wander all over it at will, and it is probably within your knowledge that I have never taken any steps to stop them... Please do not regard this letter as the expression of a desire on my part to prevent people using this short cut - they are welcome to do so just as much now that I know it is mine as when I thought it was theirs.<sup>52</sup>

Lord Walsingham's letter suggests that local people enjoyed the informal use of such paths, and access other areas of his estate, but that this informal use did not, in his view, mean that those routes were subject to a legal public right of access. The implicit assumption evident here is that decisions over who should be granted access to estate land were a matter of personal choice for landowners, and should not be dictated or altered by local authorities. From a legal perspective Walsingham's argument had a weak foundation as proof of continued public use of a route was indeed an established basis for claiming a right of way in common law and had been restated in the 1932 Rights of Way Act.<sup>53</sup> This dispute over access to the Merton estate

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<sup>51</sup> Wayland RDC Highways Minutes 1935-43, NRO, DC9/1/21.

<sup>52</sup> Wayland RDC Highways Minutes 1935-43, NRO, DC9/1/21.

<sup>53</sup> Breen, Public or Private?, 63-4.

highlights some of the ways in which approaches to rights of way were changing in the early twentieth century: the tensions which might arise between private landowners and local authorities, and concerns over definitions and legal status. The committee resolved to take legal action against Lord Walsingham for obstructing the bridleway, but were advised by their solicitor that 'no case on the grounds of nuisance could be brought'.<sup>54</sup> The disputed route now forms part of a restricted byway running between Merton and Watton.

The district councils were required to deal with various questions relating to the maintenance of roads and lanes, and it was the decisions that were made regarding surfacing in particular which led to some routes changing in status, and in a number of cases subsequently dropping out of the road network to become footpaths or bridleways. In 1895 the Loddon Highways Committee produced detailed reports on the roads in their district, noting the existence of numerous green lanes which saw relatively little use compared to the main roads.<sup>55</sup> Many of these roads and lanes were described as being in poor condition, and as unsurfaced roads they were vulnerable to damage by traffic, including steam engines and other new motorized vehicles, from erosion and from damage in poor weather conditions. The state of repair of similar green lanes was a recurrent source of complaint across the county. In December 1900 a resident of Trunch in north east Norfolk complained that 'the roads in our parish are in an awful state of mud, some of them having only been scraped once and that some time ago. The road leading from Trunch to Gunton Station (called Young's Road) is very bad, in fact last August I had to put half a tumbril load of old, dry straw in the holes to keep the wagons from turning over. I think the last two years it has been promised to repair it; if something is not done shortly it will be dangerous'.<sup>56</sup> The committee replied to say they were not liable for the road in question, but that they might adopt it if the parish were willing to fund repairs. Today the former road is classed as a bridleway. In total just over 5km of public roads in the parish of Trunch were downgraded to the status of footpaths or bridleways in the first half of the twentieth century, reducing the total length of roads in the parish by a quarter, though retaining some degree of local access for pedestrians. Many of the downgraded routes served practical, local purposes, providing access from the village centre to the nearby watercourse, Brandfield Beck, or forming shortcuts between the other roads in the parish. These routes did not disappear from the landscape, but their change in status reduced the accessibility of the landscape to riders, carts and other vehicles. Most of the routes were considered footpaths by the time the definitive map was drawn up, with only two short sections becoming bridleways. The road network in the parish took on a different appearance, restricted to a smaller number of routes radiating out to neighbouring villages.

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<sup>54</sup> Wayland RDC Highways Minutes 1935-43, NRO, DC9/1/21.

<sup>55</sup> Loddon and Clavering Rural District Council. Highways Report of Mr James Kerridge, NRO, DC 4/9/1.

<sup>56</sup> Erpingham Rural District Council Highways Committee Minute Book, NRO, DC 13/5/90.

The increasing use of motorised vehicles placed a particular strain on unsurfaced or poorly surfaced roads and gave rise to frequent complaints such as that made in 1901 regarding Great Melton, where a road had been badly damaged by a traction engine which had made a seven-mile journey from Mattishall.<sup>57</sup> Traffic surveys on the main coastal road from Cromer to Hunstanton revealed that there had been an increase in average daily traffic from 174 tons in 1912 to 2,326 tons in 1923.<sup>58</sup> Changing agricultural practices, such as the rapid increase in the cultivation of sugar beet in the 1920s and 1930s, also created new pressures on rural roads and tracks, as was the case in 1937 in North Lopham where Primrose Lane was described as 'cut up by sugar beet traffic [which] wanders all over the green track', and at Great Witchingham in 1942 where a farmer complained that a lane he used to transport 1,000 tons of sugar beet was not suitably surfaced. The Highways Committee responded curtly that he should find an alternative route.<sup>59</sup> It was not until the interwar period that the use of tarmac became routine in road repairs and resurfacing in the county.<sup>60</sup> Tarmac offered a dry, durable road surface that was suitable for motor vehicles and easier, if more expensive, for local authorities to maintain and repair. During the 1920s the Ministry of Transport made grants to local authorities for the improvement of rural roads, particularly for schemes of widening and strengthening.<sup>61</sup> In July 1923 Blofield and Flegg District Council applied for government funding 'for the improvement of several roads by the laying of a tar-macadam surface', at a cost of £5,600.<sup>62</sup> Yet even with additional funding from central government it was still difficult to find the money to surface many of the minor roads in Norfolk. The frustration that the members of the Highways Committees felt when confronted with dozens of letters of complaint about the poor condition of the roads surfaces throughout the minute books from the 1890s until the outbreak of the Second World War. In September 1935 the Wayland Committee responded to complaints about Fen Road in Blo' Norton by outlining the county-wide scale of the problem: 'this is another case where the untarred flint surface was broken up during the recent dry spell. The real remedy of course is tarring, but the County Surveyor [at Norfolk County Council] has definitely not been provided with the money. This is only one of 1,500 miles of untarred road in Norfolk, all of which require tarring, if the money could be found, but to tar them all would cost the ratepayers another 3/- in the £ rate'.<sup>63</sup> The highway committees of rural district councils, and the county council itself, were therefore faced with the task of compromising between what was desirable and what was achievable with the financial resources available.

This was the point at which many of the minor roads and lanes which now form part of the rights of way network were dropped from the road network, with little vehicular traffic, and often unsuitable for motor

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<sup>57</sup> Highways Committee minutes Forehoe 1896, NRO, DC5/2/6.

<sup>58</sup> Wade Martins and Williamson, *Change in the Countryside*, 173.

<sup>59</sup> Wayland RDC Highways Minutes 1935-43, NRO, DC9/1/21; St Faiths and Aylsham Highways Committee Minutes 1935-49, NRO, DC3/13/42.

<sup>60</sup> H. Davies, *From Trackways to Motorways: 5,000 Years of Highway History*, Stroud, 2006, 88.

<sup>61</sup> Rowley, *The English Landscape in the Twentieth Century*, 33.

<sup>62</sup> Blofield and Flegg RDC Highways Minutes 1921-1930, NRO, DC15/1/12.

<sup>63</sup> Wayland RDC Highways Minutes 1935-43, NRO, DC9/1/21.

vehicles in terms of their width and camber, it would simply not be cost effective to tarmac them. Hickling Lane in Swainsthorpe, to the south of Norwich, is a good example of such a lane - captured in an early twentieth-century photograph, which shows the unsurfaced green track with cart ruts and clear evidence of use of pedestrians and horses (Fig. 4). Hickling Lane is shown as a public road on late nineteenth-century Ordnance Survey maps, and is now a byway. Pressure from householders could play a role in local decision making, though as villages and towns grew it was sometimes the case that roads were only partially surfaced, with the rest of their length allowed to degrade to the status of a footpath or bridleway. As early as 1908 the parish council in Bracon Ash requested repairs to Poor House Lane, a relatively minor road. The Forehoe Highways Committee agreed to take on the first 400 yards of the road, which ran alongside a number of houses, but the rest of the lane was left as an unsurfaced track and is now a public footpath.<sup>64</sup> In March 1937 the residents of Warren's Lane in Attleborough complained to the Wayland Highways Committee about the state of their road, and the surveyor reported back to the committee that improvement would require substantial construction as it was 'merely a green lane' at present.<sup>65</sup> Eventually, the Committee agreed to surface and repair the first 150 yards of Warren Lane as its status and importance was acknowledged to have increased since the construction of council houses at one end.<sup>66</sup> In Sprowston, near Norwich, in 1939 and 1940 the St Faith's and Aylsham Highways Committee faced repeated calls to improve roads in and around new housing developments and responded that if the county council were unwilling to spray tar on the unsurfaced roads then it would be better not to tar them as unsurfaced roads would allow water to 'percolate through the surface'.<sup>67</sup>

Over the course of the first half of the twentieth century over 700 kilometres of roads that had been considered to be public highways in the 1880s ceased to be classified as such as a result of the processes outlined above. A combination of lack of funds, lack of traffic and wrangling over rights and responsibilities at individual, parish, district and county level all contributed to their downgrading into footpaths, bridleways and byways. As can be seen in (Fig. 2) such routes were widely distributed across the county and now account for 18% of the current rights of way network.

### **THE RIGHTS OF WAY ACT 1932**

The major piece of legislation which affected public rights of way in the interwar period was the 1932 Rights of Way Act.<sup>68</sup> The bill had first been introduced to Parliament in 1906 and the COFPFS had been instrumental

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<sup>64</sup> Highways Committee minutes Forehoe 1896 onwards, NRO, DC5/2/6.

<sup>65</sup> Wayland RDC Highways Minutes 1935-43, NRO, DC9/1/21.

<sup>66</sup> Wayland RDC Highways Minutes 1935-43, NRO, DC9/1/21.

<sup>67</sup> St Faiths and Aylsham Highways Committee Minutes 1935-49, NRO, DC3/13/42.

<sup>68</sup> Rights of Way Act 1932, c. 45, available at <https://www.legislation.gov.uk/ukpga/Geo5/22-23/45/enacted>, accessed 31st July 2019.

both in shaping the early drafts of the bill and in ensuring it did not slip entirely from the parliamentary agenda. However, it was not passed until 1932, and then in a revised form which did not entirely meet the approval of COFPFS and other groups.<sup>69</sup> The main purpose of the Act was to simplify disputes over public rights of way by stipulating a prescribed length of time to prove access rights, or 'dedication'. If a footpath or track could be proved to have been used unchallenged by the public for a period of 20 years over freehold land, or for 40 years over tenanted land, then it could be established that the route was a public right of way. This was designed to avoid disputes where claimants would have to prove a right of access for considerable periods of time and call on elderly residents to testify about public access in previous decades. A subclause, originally added in the House of Lords in 1911, added that landowners could erect notices on a path or track to notify the public that it was not a public right of way, and that this would be enough to avoid the route becoming one in the future.<sup>70</sup> Landowners were also allowed to submit a map and statement to their local council showing all the public rights of way over their land - an early version of what would become the 'definitive map' of the 1949 Act. As the COFPFS put it in a pamphlet published in 1932 this gave 'an obvious advantage to the landowner'.<sup>71</sup> The Society went on to write to every Highways Committee in the country, and also to parish councils, urging them to produce their own maps and statements - in effect producing a 'definitive map'.<sup>72</sup> The creation of the post 1949 definitive map has helped to obscure the importance of this earlier legislation, and the degree to which parish councils, landowners and local authorities were already engaged in the process of mapping and defining their public rights of way in the 1930s.

In Norfolk some parishes, and some landowners, carried out careful and complete surveys of their public rights of way in response to the Act and to the concerns raised by the COFPFS. By the 1930s Norfolk County Council had become one of the largest landowners in Norfolk, owning 30,000 acres of agricultural smallholdings which were leased to tenants.<sup>73</sup> As a substantial landowner, the County Council undertook a detailed survey of all public rights of way across its smallholdings and produced two large volumes of maps and statements which detailed all rights of way. Included in these was a design for a standardised tin sign to be erected on any tracks and paths which were not public rights of way, with the position of the new signs carefully noted on the accompanying maps.<sup>74</sup> The bulk of the smallholdings owned by the County Council were concentrated in the Fens and in the Norfolk Broads, both areas of the county which did not have a dense network of public footpaths. The County Council nevertheless carefully and rigorously took on the task

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<sup>69</sup> L. Chubb and H. Baker, *The Rights of Way Act 1932: Its History and Meaning*, London, 1932, p3.

<sup>70</sup> Chubb and Baker, *Rights of Way Act 1932*, 8.

<sup>71</sup> Chubb and Baker, *Rights of Way Act 1932*, 8.

<sup>72</sup> Parish Councils and Footpath Surveys, *The Journal of the Commons, Open Spaces and Footpaths Preservation Society*, 6, 2, April 1935, 192-6.

<sup>73</sup> S. Wade Martins, Smallholdings in Norfolk 1890-1950: A Social and Farming Experiment in *Agricultural History Review* 54:2, 2006, 304-330, 310.

<sup>74</sup> Norfolk County Council Valuations and Estates Department, Register of Plans of Smallholdings concerning the Right of Way Act 1932, 1934, NRO C/VES 75-6.

of defining the public rights of way network on their estate, and also, as a significant landowner, took the steps necessary under the terms of the Act to prevent additional tracks and paths being dedicated as public rights of way by erecting signs and notices - the careful noting of their positions provided evidence that could be used in future disputes if the signs were defaced or removed.

At a parish level, local communities and parish councils responded to the Act by creating their own maps and statements of public rights of way, acting on the recommendation of the COFPFS and the District Councils. In Deopham the Clerk of the parish council saved the circular letter from the COFPFS sent in November 1934 reminding parish councils to produce maps and statements of their footpaths (and the enclosed free copy of the COFPFS journal, included as an incentive for parish councils to become members of the Society). Forehoe District Council had also written to the parish council asking for 'the exact position of such footpaths &c. same will be placed on a copy of the Ordnance Map and Agreement can probably be come to with the owners as to same and thus save a great deal of trouble in the future'.<sup>75</sup> Although there is no mention of a footpath survey in the minute book of the parish council, the Clerk kept a note of the rights of way in Hackford (a parish which was later amalgamated with Deopham), which recorded five routes, three footpaths and two 'carriageways' or green lanes.<sup>76</sup> All five were later added to the definitive map after 1949. In Deopham, the parish council were constantly engaged in correspondence and discussion relating to public rights of way within the parish - at every monthly council meeting residents complained of overgrown hedgerows and broken stiles on footpaths, suggesting both regular use by local people and concern about ease of access. The parish council wrote to the district council on a number of occasions about the state of minor unsurfaced lanes, on each occasion receiving the same response that the district council was not responsible.<sup>77</sup> The parish councillors clearly had confidence in their own detailed understanding of the location of public rights of way within their own parish, and of the responsibilities of the parish council, the landowner and the district council. It is also clear that local residents were using these routes regularly to move around the landscape of the parish - the frequency of enquiries regarding access and obstructions suggest that the excuse given by landowners and local authorities that these routes were little used was not always accurate.

In the parish of Weston Longville, to the north west of Norwich, a comprehensive return was produced for the district council detailing each public right of way in the parish. This included a description of the route, the maps on which it was shown, the names of residents in the parish who could testify to its continued use for 20 years and whether the relevant landowners had been consulted. The parish council arranged a meeting for all parishioners and landowners to view the schedule and map and agree the contents before a copy was

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<sup>75</sup> Clerk's Correspondance, Deopham with Hackford Parish Council, 1926-34, NRO PC98/25.

<sup>76</sup> Clerk's Correspondance, Deopham with Hackford Parish Council, 1926-34, NRO PC98/25.

<sup>77</sup> Deopham and Hackford Parish Council Minutes 1899-1938, NRO PC98/5.



sent to the district council.<sup>78</sup> The accompanying map is now lost, but this survey was used as the basis for the creation of the definitive map in the post-war period. In Elsing, and in Wramplingham, the parish councils also drew up schedules of rights of way in 1934, and in Wramplingham the council corroborated their list with evidence from the Enclosure and Tithe maps and awards for the parish. The Rector of Wramplingham was keen to point out that a track between the church and the rectory was not a public right of way, and was intended 'for the convenience of worshippers from an outlying farm'. The clerk of the council went on to state 'there never has been and is not now any public right of way whatsoever through this gate. Moreover the Rector wishes to record the assertion made to him by ancient inhabitants of the parish existed only as a footpath to the Church and was not a public footpath and there is no public right of way connected with it'.<sup>79</sup> The path was marked as a footpath on the Ordnance Survey map of 1906 and remains a public right of way, despite the Rector's efforts.

The 1932 Act gave both landowners and local councils (at all levels) the impetus to begin the task of recording and defining public rights of way more clearly, although in each case for different reasons. For the landowner it presented an opportunity to self-define public rights of way across their land, and crucially to prevent rights of way being dedicated through public use by erecting signs. In the view of the COFPFS 'Owners may be expected to take advantage of this power, because if their maps and statements are accepted, whether complete or incomplete, they will eventually be regarded as authoritative, and it will become increasingly difficult, if not impossible, to claim as public any other tracks than those included in them'.<sup>80</sup> Parish councils and local residents had a vested interest in scrutinising these maps and statements, and even better, to produce their own to ensure that public rights of way were being accurately recorded. In effect, both landowners and parish councils began on the process of creating a definitive map of rights of way before the 1949 Act was passed, and the work done in the 1930s often informed the creation of that map in the post-war period. This work was being carried out in the context of the changing nature of the road network, discussed above, and the increasing political and local interest in access to the countryside for leisure and tourism, but also the practical benefit of local footpaths and lanes for local communities, for whom these were often well-used routes. This work was interrupted by the outbreak of war, and the creation of the definitive map in the post-war period is really a continuation and extension of the surveying and defining of public rights of way which began in the 1930s.

## **THE IMPACT OF WAR**

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<sup>78</sup> Weston Longville Parish Council, Papers RE Rights of Way 1931-4, NRO PC41/19-20.

<sup>79</sup> Parish Records of Wramplingham Church and Benefice, Notes Concerning Public Rights of Way 1934, NRO PD321/32.

<sup>80</sup> COFPFS, *Footpath Maps and Surveys*, London, 1932.

The Second World War had a profound impact on the landscape of England and Wales, particularly with the requisition of land for use by the armed forces and services. By 1944 some 20 per cent of the total land area of the UK was under military control, some temporarily, some permanently.<sup>81</sup> These requisitions often went hand in hand with changes to the public rights of way network in order to control public access to military sites. The state had long-standing powers to close roads and public rights of way for military purposes using the Highways Act of 1835, the Defence Act of 1842 and the Military Lands Act of 1892.<sup>82</sup> At the outbreak of the Second World War these were superseded by the Defence Regulations of 1939 which meant that roads and footpaths could be easily closed (albeit on a temporary basis) as land was requisitioned by the military for airfields and other sites.<sup>83</sup> Although many campaign groups remained relatively quiet during the war years, the CPRE took a more active role in arguing that careful thought be given to the selection of rural sites for military purposes, and the organisation was regularly consulted on the process of acquisition and requisition by the various defence departments throughout the war, although their focus was often on the construction of large military installations and the loss of productive arable land, rather than public rights of way.<sup>84</sup> In Norfolk hundreds of kilometres of roads and paths were closed temporarily during the war, usually affecting routes which lay across airfields, camps and other military sites, including the Battle Training Area in Breckland. Some of these temporary closures were made permanent after the war, whilst others were reopened on diverted courses. Loss of access to provide dedicated areas for military training occurred in various locations across the UK, but Norfolk was one of the counties most affected during, and immediately after the Second World War.<sup>85</sup>

In total 203 kilometres of public roads and paths were permanently lost during this period, while many others were closed temporarily and reopened after the war (Fig. 5). The creation of airfields, and of the Stanford Battle Training Area in Breckland, were the main causes of the loss of rights of way during this period. There were 38 airfields in Norfolk during the Second World War, used by both the RAF and the USAAF.<sup>86</sup> With the exception of Old Buckenham, all airfields in the county were associated with the permanent loss of at least one public route, and in some cases many more. In total 146 public roads and paths were temporarily closed to allow for the creation of airfields, covering 115 kilometres. 40 of these public routes were footpaths, whilst

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<sup>81</sup> W. Foot, The impact of the military on the agricultural landscape of Britain in the Second World War in B. Short, C. Martins and J. Watkins eds., *The Front Line of Freedom: British Farming in the Second World War*, Exeter, 2006, 133.

<sup>82</sup> Sydenham, *Public Rights of Way and Access to Land*, 73; Papers relating to closing of public rights of way: powers under Highways Act 1835, Defence Act 1842 and Military Lands Act 1892, 1924, The National Archives (TNA), TS28/348.

<sup>83</sup> Sydenham, *Public Rights of Way and Access to Land*, 120.

<sup>84</sup> G. Willis, 'An Arena of Glorious Work': The Protection of the Rural Landscape Against the Demands of Britain's Second World War Effort in *Rural History* 29:2, 2018, 259-280.

<sup>85</sup> Loss of access to land used by the military at sites including Dartmoor and Salisbury Plain is discussed in M. Dudley, *An Environmental History of the UK Defence Estate 1945 to Present*, London, 2012, 37-42; 119-30; 202.

<sup>86</sup> M.J.F. Bowyer, *Action Stations; Military Airfields of East Anglia*, second edition, Yeovil, 1990, 48-49; S. Nunn, *The Impact of the Second World War on the Rural Landscape of Norfolk*, unpublished PhD thesis, University of East Anglia, 2019, 72.

95 were roads; some of these were minor lanes and tracks, but others were relatively important routes between villages and farms. Of these, only 26 were reopened after the war and the rest were permanently closed. The scale of changes to the rights of way network brought about by the creation of airfields obviously varied according to the size of the airfield, but was also influenced by location and landscape context. Comparison with earlier Ordnance Survey maps shows that some airfields were situated in places which had few, or no, footpaths to begin with. This is particularly true of those in the north and west of the county, or in the Fens where only two short stretches of road were closed for the construction of the airfield at Feltwell. In areas where the historic network of public rights of way was denser, as in south east Norfolk, there was a greater chance that an airfield would disrupt numerous routes.

Records of local opposition to footpath and road closures during the Second World War are relatively rare in the records of the local authorities, and the records for local highways committees during the war years are themselves patchy in terms of their survival. However, after the war there could be considerable opposition when the temporary closure of public rights of way across airfields became permanent. In November 1949 West Raynham parish council, and the local district council, strongly objected to the permanent closure of four roads across West Raynham airfield that was proposed by the Air Ministry. As a result the Ministry agreed to the re-opening of one road and the diversion of another.<sup>87</sup> Local, informal use of temporarily closed routes appears to have begun after the war, and in 1950 the County Surveyor wrote to the Wayland Highways Committee that at Snetterton 'the public are being permitted to use the perimeter tracks' of the airfield until the old routes were properly reopened.<sup>88</sup> It was agreed that, rather than reopening the old roads and tracks across the airfield, the local authority would simply adopt the concrete roads and runways on the airfield in lieu. In April 1952 local parish councils expressed some alarm that these roads were being broken up by the new owners, and in the summer it became clear that the owners of the airfield were not willing to allow this informal public access to continue as the airfield runways were being used as a motor racing circuit. They agreed to allow the perimeter track to become a public road, and the council agreed that there was little need to reopen the old routes due to the probable lack of traffic. The adoption of sections of runway as roads, rather than reinstating the old routes, also occurred at Deopham where the County Planning Officer agreed in 1950 to take on part of the main runway and some of the perimeter tracks to replace those roads which had been closed when the airfield was constructed.<sup>89</sup>

Tibenham airfield, in south Norfolk, was significantly expanded in 1943 by the USAAF, with runways for heavy bombers, a perimeter track and accommodation for nearly 3,000 personnel.<sup>90</sup> As a result seven routes were

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<sup>87</sup> Mitford and Launditch RDC Highway Commissioners Minutes 1948 to May 1950, NRO, DC7/1/77.

<sup>88</sup> Wayland RDC Highways Committee Minutes 1946 onwards, NRO, DC9/1/38.

<sup>89</sup> Wayland RDC Highways Committee Minutes 1946 onwards, NRO, DC9/1/38.

<sup>90</sup> Bowyer, *Action Stations*, 196.

closed, covering a total distance of 5.5km. The airfield was situated in an area of small anciently enclosed fields, a landscape which had not undergone many changes since it was shown on an estate map of the 1640s.<sup>91</sup> A number of roads and paths were temporarily closed across the centre of the airfield, and around its perimeter (Fig. 6). These included Hallgate Lane, along the northern edge of the airfield, and a number of footpaths through the adjoining and surrounding fields. In 1947 it was noted by the County Surveyor that the lane had been closed during the war 'but has been unofficially open for some time'.<sup>92</sup> The unofficial use of roads and footpaths around military sites, both during the war and in the immediate aftermath, is difficult to quantify but clearly local people were using Hallgate Lane after the end of the war despite the fact that it had not been officially reopened, as they had around Snetterton.

After the war Tibenham airfield reverted to the Air Ministry and was used by the RAF.<sup>93</sup> In 1947 the Air Ministry applied for an order to permanently close the seven tracks and footpaths across the airfield which had been temporarily shut on its requisition. In their request to the Highways Committee the Ministry stated that 'their permanent closure is essential to the proper operation of the airfield as they have, in fact, already been incorporated in the landing field'.<sup>94</sup> The parish councils affected by the closures were consulted by the Highways Committee and the council from Aslacton replied that 'the highways in question were very seldom, if ever, used by the inhabitants of their parish', and the parish council of Tibenham did not object.<sup>95</sup> The order was passed and the footpaths closed, a simple case of ratifying closures which had taken place several years earlier during the war with little local opposition.

Airfield expansion in the 1950s, during the height of the Cold War, also affected other bases in Norfolk. Sculthorpe was created in 1942, as an RAF airfield, but from 1952 onwards it was extended and refurbished by the USAAF.<sup>96</sup> The 47th Bombardment Wing were based at Sculthorpe, providing tactical nuclear weapons support in Europe, and later the airfield was used by the Tactical Reconnaissance Squadron.<sup>97</sup> This necessitated the expansion of the airfield and its runways, which in turn led to the closure of a number of roads and paths between 1956 and 1958. Some of these routes crossed the airfield, but others ran close to the newly expanded perimeter and were presumably closed in order to reduce public access as a result of security concerns.<sup>98</sup> In terms of the closure of roads and footpaths the airfield at Sculthorpe had a greater impact on the Norfolk landscape than any other, resulting in the loss of 20 kilometres of routes in total.

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<sup>91</sup> Map of the Manor of Channoze in Tibenham, 1640, NRO MC1777/1.

<sup>92</sup> Norfolk County Council (NCC) Airfield File, Tibenham, Highways (Norwich) Committee.

<sup>93</sup> Bowyer, *Action Stations*, 196.

<sup>94</sup> NCC Airfield File, Tibenham, Highways (Norwich) Committee.

<sup>95</sup> NCC Airfield File, Tibenham, Highways (Norwich) Committee.

<sup>96</sup> Bowyer, *Action Stations*, 177.

<sup>97</sup> Bowyer, *Action Stations*, 178.

<sup>98</sup> Closures of Highways: Sculthorpe RAF Station, Norfolk, 1956-58, TNA T180/89.

The creation of the Stanford Battle Training Area in Breckland represented an even more significant loss to the public rights of way network, and one which happened almost in a single stroke. This was an area of the county which was not well served by public rights of way as a result of enclosure of heathland commons and the expansion of landed estates in the eighteenth and nineteenth centuries. There was thus a general pattern of loss of access in this part of Norfolk, but the creation of the training area was nevertheless the single biggest act of removal of public rights of access in the county. One parish, Sturston, which lies at the centre of the Battle Area is the only parish in Norfolk which is completely inaccessible to the public, with no public roads, footpaths or any other rights of way. The area had been used for military training exercises during the First World War, but it was in 1942 that 12,000 hectares was requisitioned as a training area, including the villages of Tottington and Sturston, whose inhabitants were moved out of their homes.<sup>99</sup> A total of 57 kilometres of road and a further 73 kilometres of paths and tracks were closed to the public within the Battle Area (Fig. 7). In addition, a number of private tracks, many running through estate plantations, were also taken over by the military. The original intention at requisition was that these closures would be temporary, but by 1947 it was clear that the use of the landscape as a military training area was likely to remain permanent and this was confirmed in 1949, although the county council were advised in 1950 to maintain records of public footpaths in case it became possible to reopen them at a later date.<sup>100</sup> Many of the tracks and paths shown on Figure 7 did not disappear from the landscape, but were reused by the military and still have a physical presence; as can be seen around Robin's Lodge, near Bodney, where the closed routes are still clearly visible on contemporary maps and aerial photographs. The physical form of the lost rights of way network within the Battle Area survives, but the importance attached to military use (and public safety) has resulted in the loss of rights of public access over a significant area of the Norfolk countryside.

The loss of roads and footpaths to military sites during the twentieth century had a considerable, but highly localised, effect on those villages and communities where airfields were constructed and the Battle Area enclosed. Although these closures were intended to be temporary, for the duration of the war, many of the roads, tracks and paths that were closed became permanent losses to the rights of way network. Although some of these were minor paths and tracks, others were locally important routes which transformed the ways in which communities and residents in the post-war period could move around the landscape of their parishes, and access farmland, woods and neighbouring settlements. The argument that such routes had been little used before the war was often employed by the military and by local authorities to justify these closures, and is a similar refrain to that used by landowners and farmers before the war, and indeed in earlier centuries.

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<sup>99</sup> Nunn, *The Impact of the Second World War*, 139.

<sup>100</sup> Nunn, *The Impact of the Second World War*, 146; Wayland RDC Highways Committee Minutes 1946 onwards, NRO, DC9/1/38.

## **A DEFINITIVE MAP?**

The need to accurately define and map the location of public rights of way at a national level was only partially answered by the 1932 Rights of Way Act, which prompted local authorities, parish councils and campaigning organisations to undertake localised surveys. The events of the Second World War interrupted the issue, but in 1947 the newly formed National Parks Committee recommended that a complete, national survey of public rights of way should be undertaken, and that these should be published by the Ordnance Survey.<sup>101</sup> The National Parks Act which followed in 1949 included provision for the creation of a national 'definitive' map of public rights of way under the guidance of the Ministry of Town and Country Planning.<sup>102</sup> The 1949 Act required county councils to prepare definitive maps showing all existing public rights of way but this proved to be a time-consuming and far from straightforward process during the post-war years. There were wide variations in approach at a local level, resulting in maps which have been questioned and challenged since their completion.<sup>103</sup> The national map created during the immediate post-war period was largely based on the work already done on a local and regional scale during the interwar period and utilised the expertise of rural district councils and parish councils - local knowledge and experience fed directly into this nation-wide exercise.

Inevitably there were numerous problems with the creation of the definitive map, not least due to a lack of communication and a range of misunderstandings between the Ministry, local authorities and the Ordnance Survey. Hampshire County Council originally left off the public rights of way within the New Forest from their definitive map, as they understood that there was 'no need to show footpaths on the map' as the area was subject to full public access.<sup>104</sup> One concern, raised by Norfolk County Council in 1961, was the cost of producing the definitive maps. The clerk of the Council wrote to the Secretary of State asking if it was possible to send black and white copies of the maps rather than incurring the expense of hand-colouring the maps - the answer was a decided negative.<sup>105</sup> The creation of the definitive map allowed the Ordnance Survey to update their own published maps. The Guardian reported in June 1959 that as the counties completed their 'laborious task' of creating the definitive map, the OS would be able to transfer the information to their own maps, a change that would 'be much welcomed by walkers, who will hope to save themselves may disagreeable disputes over paths which are clearly there, both on the map and on the ground, but which have no legal standing'.<sup>106</sup> In May 1960 the first OS sheet to show public rights of way from the definitive

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<sup>101</sup> B. Mayfield, Access to the Countryside: the tragedy of the house of commons in *Legal Studies*, 37:2, 2017, 343-362.

<sup>102</sup> *The National Parks and Access to the Countryside Act 1949 (12, 13 & 14 Geo 6 c.97)*, London, section 31; Depiction of public rights of way on Ordnance Survey maps, 1956-63. TNA AT26/8.

<sup>103</sup> Sydenham, *Public Rights of Way and Access to Land*, 78; Shoard, *This Land is our Land*, 227-331.

<sup>104</sup> Depiction of public rights of way on Ordnance Survey maps, 1956-63, undated memo to Willatts, TNA AT26/8.

<sup>105</sup> Depiction of public rights of way on Ordnance Survey maps, 1956-63, letter from Norfolk County Council, 1961, TNA AT26/8.

<sup>106</sup> *Manchester Guardian*, 19 June 1959.

maps was published, covering the area around Southampton and the Isle of Wight.<sup>107</sup> By the end of 1962, 23 local authorities had completed their definitive maps, including Suffolk and Essex.<sup>108</sup> Norfolk fell into the list of authorities which had only completed a provisional part covering part of their counties, along with Kent, Cornwall, Derbyshire and Sussex.<sup>109</sup> Twelve years had passed since the definitive map survey had begun, a task that Norfolk County Council originally envisaged taking six months.<sup>110</sup>

It was in June 1950 that the district councils in Norfolk had received their instructions from the county council on the creation of the definitive map. The county council would provide Ordnance Survey six-inch maps with the rights of way marked in pencil, which would be checked with the rural district councils and then the parish councils. The parish councils were responsible for checking all public rights of ways, documentary and historical evidence for their existence, the state of paths on the ground and the marking up of the maps and schedules. The work was to be completed within 6 months.<sup>111</sup> Two years later, in April 1952, the county council complained that they had received no returns at all from Wayland District Council.<sup>112</sup> The county council, in almost all cases, seem to have entirely devolved the creation of the definitive map and statement to district councils, and then to parish councils themselves - this underlines the importance given to local knowledge in mapping and tracing public rights of way in the post-war landscape, and acknowledged the institutional memory of parish councils and landowners in being able to trace the existence of paths historically. However, the chain of communication between all of these parties was often broken, and the whole process was extremely slow.

Organisations like the Ramblers' Association were consulted by parish councils for help in completing their returns, either wholly or partly. The involvement of such groups was a sore point with both the district and county council, who pressed parish councils to fill out their returns themselves, rather than seeking help. In Scoulton, the parish clerk reported that 'as no one in the parish has any knowledge of the public rights of way in Scoulton, he considers that the matter might be referred to the Rambler's Association'.<sup>113</sup> In response the district council 'resolved that the County Council be informed that it would appear that Scoulton Parish Council intended to convey to the Norfolk County Council that in their opinion there are no existing rights of way in this parish'.<sup>114</sup> The county council took a dim view of this opinion, and Scoulton were pressed to fill

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<sup>107</sup> Depiction of public rights of way on Ordnance Survey maps, 1956-63, memo by E.C. Willatts, 9th May 1960, TNA AT26/8.

<sup>108</sup> Depiction of public rights of way on Ordnance Survey maps, 1956-63, list of completed maps, December 1962, TNA AT26/8.

<sup>109</sup> Depiction of public rights of way on Ordnance Survey maps, 1956-63, list of completed maps, December 1962, TNA AT26/8.

<sup>110</sup> Wayland RDC Highways Committee Minutes, 1946 onwards, NRO DC9/1/38.

<sup>111</sup> Wayland RDC Highways Committee Minutes, 1946 onwards, NRO DC9/1/38.

<sup>112</sup> Wayland RDC Highways Committee Minutes, 1946 onwards, NRO DC9/1/38.

<sup>113</sup> Wayland RDC Highways Committee Minutes, 1946 onwards, NRO DC9/1/38.

<sup>114</sup> Wayland RDC Highways Committee Minutes, 1946 onwards, NRO DC9/1/38.

out their return. Scoulton now has just one, single public right of way - a footpath of 140 metres which provides a shortcut between the two main roads through the village. A comparison with nineteenth and twentieth-century Ordnance Survey maps shows that there were never many public rights of way in the parish to begin with, it lies within an area of Norfolk where the network has been eroded, largely through the process of parliamentary enclosure, and Scoulton was enclosed in 1805.<sup>115</sup> In Merton there was no parish council, so the local landowner, Lord Walsingham, took on the responsibility of the survey himself.<sup>116</sup> Merton also lay within an area of the county where the network was sparse, but the parish ended up with three public rights of way on the first iteration of the definitive map, all at a distance from Lord Walsingham's seat at Merton Hall.<sup>117</sup> Other parishes were more diligent, basing their returns on the work done after the 1932 Rights of Way act, and on the basis of earlier discussions between parish and district councils.

It can be difficult to quantify the number of public rights of way which 'fell off' the definitive map at this point - paths which were, for various reasons, not included in parish or district council returns and therefore not included on the definitive map. A key source for attempting this at a county level are the Ordnance Survey maps produced in the late nineteenth and early twentieth centuries, however, although they show footpaths they do not claim to show all public rights of way, and different editions do not mark the same tracks as public rights of way.<sup>118</sup> Figure 8 shows the total number of footpaths (marked as FP) on the 1880s Ordnance Survey maps of Norfolk which were not subsequently included on the definitive map in the post-war period. There are a total of 375 of these 'lost' paths, covering 203km - some have been closed legally, whilst others have been diverted and have a modern footpath close to their original course. The distribution of 'lost' paths mirrors the county-wide network as a whole, with a relatively high density of routes in the south-east claylands, and fewer in the north and west. The gaps in the modern pattern of public rights of way in the county are not filled in by adding 'lost' paths - if these paths were included on the definitive map it would represent an increase of just 5.3% for the total length of public rights of way in the county.

Although the number of 'lost' paths from the 1880s on a county level is relatively small, on a local level, some parishes were particularly affected. In the parish of Fersfield, in the south of the county where the network of public rights of way was at its densest, a total of 12 public footpaths which were in existence in 1880 did not make it onto the definitive map, 5.7km in total. There are 11 modern footpaths in the area of the parish, covering 9.4km in total - the footpaths lost since the 1880s would increase this by over a third. However, the majority of these paths are not truly 'lost' - instead the complex network of paths within a small area of the parish has been reorganised, the tangle of historic routes which criss-crossed the middle of arable fields has

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<sup>115</sup> Scoulton Enclosure Map and Award, 1805-7, NRO C/Sca 2/245.

<sup>116</sup> Wayland RDC Highways Committee Minutes, 1946 onwards, NRO DC9/1/38.

<sup>117</sup> Norfolk County Council Definitive Map, TL99NW, <https://maps.norfolk.gov.uk/definitivemaps/TL99NW.pdf> last accessed 6th February 2020.

<sup>118</sup> Bucks and Wadey, *Rights of Way: Restoring the Record*, 132-3.



been simplified, some as recently as 1995, and new, straighter routes have been provided along field edges.<sup>119</sup> Only one path has disappeared completely within Fersfield without a modern diversion being provided nearby.

The creation of the definitive map in the post-war period saw a thinning-out of the existing pattern of public rights of way within the county - although some were undoubtedly left off the parish returns which made up the definitive map, the total number of routes 'lost' in this process was relatively minor - certainly compared with the losses to the network which took place in earlier centuries. A key part of the process was the reliance of the state, in the form of the Ministry of Transport, and the Ordnance Survey, on local knowledge and expertise - although the responsibility for the creation and maintenance of the map lay with the county council, the process of actually creating the map itself relied almost entirely on parish councillors and individual landowners. Their experiential and historical knowledge of public rights of way were critical for the success of the definitive map project. In Norfolk the process not without its problems, but the end result largely confirmed the historic pattern of rights of way within the county.

## **CONCLUSION**

At a national level the need to accurately define the location and nature of public rights of way became a more pressing concern during the first half of the twentieth century, and particularly during the interwar years due to the growing trends for hiking and cycling, the expansion of housing into previously rural areas and the wider political issue of countryside access. Clearer definitions were also required by the newly formed local authorities - parish, district and county councils - in order to avoid disputes over who was responsible for arranging and funding maintenance and repair. The financial pressures associated with providing better surfacing at a time when the variety and volume of road traffic was increasing meant that decisions had to be made over which routes to prioritise. The inevitable consequence of this was that some routes were downgraded, usually with the result that they became part of the rights of way network. The rationalisation of the rural road network allowed district and county councils to avoid some of the high costs of surfacing and maintenance, which in Norfolk would have been prohibitively high due to the density of routes which existed in some parts of the county. The modern public rights of way network in Norfolk, therefore, includes 700 kilometres of bridleways, byways and footpaths which were considered to be part of the road network in the nineteenth century and in some cases into the 1920s and 1930s. These routes were often of considerable antiquity and continue to have a physical presence in the landscape today, but their

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<sup>119</sup> Norfolk County Council Definitive Map, TM08SE, <https://maps.norfolk.gov.uk/definitivemaps/TM08SE.pdf>, last accessed 6 February 2020.

status changed in this period, as questions of cost and responsibility loomed large in the minds of local councils.

Recent work by David Matless on the Sea Breach Commission in East Norfolk in the nineteenth and twentieth centuries has demonstrated the ways in which localised systems of authority and power over the landscape in the nineteenth and early twentieth centuries were replaced by state-driven structures operating at both a regional and national level.<sup>120</sup> In the case of the Sea Breach Commission, the commissioners used their local knowledge, their historical memory and their position as landowners to cement their position and authority as custodians of sea defences in the area – although the emphasis on localism later became a target for their critics.<sup>121</sup> Similar processes were at work relating to the public rights of way network - new county-level structures were put into place as part of a process of codifying, mapping and managing the network at both a county and a national level. This was achieved partly through key pieces of legislation such as the 1932 and the 1949 Acts, but the detailed work of identification and recording relied on local expertise, knowledge and experience. The committees and officers of the county council and rural district councils did not necessarily have the experiential and historical memory that came from living within a rural community and from constantly reinforcing rights of public access by physically moving along public rights of way (whether on foot, bicycle or horseback). That knowledge, as the minutes of the highways committees reveal, came from parish councillors, landowners and local residents whose correspondence highlights strongly held views on rights and responsibilities in relation to access and maintenance. Those who sought to protect and preserve rights of way were supported throughout this period by organisations like the Commons, Open Spaces and Footpath Preservation Society, who provided advice and expertise, particularly on legal issues. The complicated evolution of the rights of way network meant that understanding and defining the status and significance of individual routes might rely on a combination of detailed historical research and specialised local knowledge rooted in memory and firsthand experience.

As we have highlighted, the process of mapping and defining rights of way had, in Norfolk, already begun on an ad-hoc basis as a result of the 1932 Act, which included provision for the voluntary creation of definitive maps and statements. The importance of this Act, and of the work that was done as a result has, however, tended to be overlooked, with attention focused instead on the statutory requirement to create definitive maps laid down in the 1949 Act. Yet some parishes had eagerly taken the opportunity to create their own definitive maps in the 1930s whilst some landowners, including Norfolk County Council, did the same although with the aim of preventing the establishment of new public rights of way through long-term public use. The Second World War interrupted this process to some extent, and brought new pressures that resulted

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<sup>120</sup> D. Matless, *Checking the Sea: geographies of authority on the East Norfolk Coast (1790-1932)* in *Rural History* 30:2, 2019, 215-240.

<sup>121</sup> Matless, *Checking the Sea*, 217.

in the loss of public rights of way within the county through the construction of airfields and, most significantly, the creation of the Stanford Battle Training Area. The impact of these changes on local communities varied, but could be considerable and in some cases dramatically reduced the number of public rights of way and by extension legal access to the surrounding countryside. The 1949 Act took the idea of identifying and recording public rights of way much further, implementing the idea of a definitive map as a compulsory measure on a national scale, but in Norfolk a surprising amount of work had already been done in the 1930s, which then fed directly into the creation of the post-1949 maps. The process of creating and refining the definitive map was far from straightforward and was to occupy the minds of campaigning groups, local residents and landowners and local authorities for the rest of the twentieth century. It has been brought into focus again recently with the looming deadline for adding 'lost' historic footpaths to the definitive map set as 2026.<sup>122</sup>

There is still much to be gained from analysing the creation of modern rights of way networks and, in particular, exploring in more detail the developments taking place during the critical period c.1880-1960 which were to have an important bearing on which routes survived and how those routes were classified and used. New uses such as walking for leisure meant that public rights of way were viewed differently, and gained a significance that went beyond the quotidian movement of people and goods, though such uses of course continued. A better understanding of the development of the rights of way network can shed light on, and provide context for, disputed routes and lost paths, as well as providing a firmer historic foundation for addressing future challenges around the issue of countryside access. It also has the potential to shed light on wider issues relating to the ways in which rural landscapes were perceived, used and managed in the twentieth century, such as the selection of sites for military use, the balance of power between national, regional and local authority and expertise, and attempts to accommodate and prioritise multiple uses and interests during a period of rapid change.

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<sup>122</sup> The Ramblers, *Don't Lose Your Way*, 2018, accessed online <https://www.ramblers.org.uk/get-involved/campaign-with-us/dont-lose-your-way-2026.aspx>, 31st August 2019.

## Figure Captions

**Fig.1.** The modern rights of way network in Norfolk

**Fig.2.** Modern rights of way which were shown as roads on late nineteenth-century Ordnance Survey maps.

**Fig.3.** A former road in Little Snoring, north-west Norfolk, now part of the public rights of way network. The trees in the background given an indication of the original width of the road. Source: authors' own photograph.

**Fig. 4.** An undated (c. early 20<sup>th</sup> century) photograph of Hickling Lane in Swainsthorpe. Source: used with permission from Norfolk County Council Library and Information, Picture Norfolk Image Ref 30129028257062.

**Fig.5.** Routes closed as a result of military activity. The concentration in the south west of the county highlights the impact of the Stanford Battle Training Area.

**Fig.6.** The impact of Tibenham airfield on surrounding roads and rights of way.

**Fig.7.** Roads and rights of way closed to the public following the creation of the Stanford Battle Training Area in 1942.

**Fig.8.** Footpaths shown on the large scale Ordnance Survey maps of the 1880s which were not included as public rights of way on the Definitive Map. Compare with the distribution shown on Fig.1.