

Welford's Rights of Way

Fords and field paths, an enclosure award that promised its footpaths “for ever”, a towpath nobody could claim, and two centuries of argument over stiles, hedges, gardens and the way to the weir.

Drawn from the Welford and Weston Local History Society archive (folder references in grey). A companion to the essays on roads and traffic, the Parish Council, Boat Cottage and Cress Hill.

1. A web of small ways
2. Fords, tracks and the army-path
3. Headlands and church ways
4. “To continue for ever”
5. Stony Stile Lane and the Limey
6. The towpath that was never a path
7. Stiles, hedges and the new council
8. Walking for its own sake
9. Woodward's schedule and the lost footroad
10. The Definitive Map
11. The parish meeting of 1969
12. Boat Orchard and the weir
13. Diversions, closures and a new footway
14. The river path and the ramblers
15. Into the new century
16. What the paths remember
17. Gaps and conflicting sources



Extract from the Definitive Map. One of four photographs of a creased, hand-coloured copy of the County's map of public paths for Welford and Weston. The red band marks the parish boundaries along the Avon; the numbered green lines are the footpaths and bridleways: SD 26 along the river at left, SD 27 and its companions running east to Weston, SD 31 and SD 32 south across the fields. 12/04

A web of small ways

Every English parish has two road maps. One is drawn for wheels: the lanes and roads that carry carts, buses and cars between villages. The other is drawn for feet and hooves. It is made of the field paths, bridle roads, jitties, alleys and churchyard short cuts that people have walked for centuries, and it is held together by the legal idea of a public right of way. This essay is about the second map in Welford-on-Avon.

Welford is a good place to study it. The village sits in a loop of the Avon, with Weston-on-Avon a short walk to the east, Binton Bridges to the north, Barton and Bidford downstream to the west, and the Dorsingtons and Long Marston across the fields to the south. Almost every one of those neighbours was once reached by a footpath as well as by a road. The parish's enclosure award of about 1801 wrote fifteen of those footpaths down by name and promised

that they would “continue for ever”. A schoolmaster-antiquary checked them against the ground in 1938 and found several already gone. The County Council mapped the survivors after the Second World War, and the Parish Council spent much of 1969 telling the County where its map was wrong. In between, the archive records broken stiles, overhanging hedges, a writ for slander of title, a wall built across the way to the weir, and a long argument about whether there had ever been a public towpath at all.

The sources are uneven. The Society's archive holds no medieval charters, no tithe map, no early highway surveyors' accounts in full, and only fragments of the Parish Council's own path correspondence. It does hold two typed abstracts of the enclosure award, a notebook copy of its road and path schedules, Harry Woodward's notes of 1938, the County's printed Statement of 1961 with a parish review of 1968, the Parish Council's letter of 1969, newspaper cuttings from three decades of disputes, and the Society's own minute books, in which footpaths turn up again and again. What follows is built from those papers, with folder references in grey so that anyone can go back to them.

Fords, tracks and the army-path Before the open fields were enclosed

Long before there was any law of public paths, people crossed the Avon at Welford on foot. Two fords recur in the Society's papers. One lay at Binton Bridges, where a paper written for the Society in about 1971 says the ford “was certainly used by British tribes”. The other lay by the mill, below the church. The same paper calls it “also British track” 10/26. A local researcher's notes from the Victoria County History record that “the Ancient Ford was by the mill”, with the church tower serving as its landmark 09/06.

The 1971 paper goes further. It argues that what are now the Binton road, the continuing High Street and Bird Lane towards Long Marston “were tracks built up over marshy ground”, used to reach the hill fort on Meon Hill and a settlement on Welford Hill with its wide view over the Worcestershire plain. It names Foxbank, at Hillborough across the river “directly opposite the foot of Boat Lane”, as a reputed Roman site beside “an ancient ford”, with a track probably running to it off the Ickniel Way or Buckle Street 10/26. Buckle Street itself, the old road from Alcester towards Chipping Campden, runs along the parish's western edge through Bickmarsh. A margin note gives its name in 967 as “Buggeldshael” 09/06.

Gilbert Gray's working notes for the Society's "Origins Group" add one more early way. Among the opinions he collected on the site of the village is one from Mr Holman: a road from Welford at Boat Lane, by the ford, to Clifford Chambers, "mentioned in Charter as 'here-peth'" 10/28. That is the Old English *herepæþ*, an army-path or highway, a word that turns up in Anglo-Saxon charter boundaries all over southern England. The note does not say which charter, and none is in the archive, so the claim cannot be checked from these papers. It is still a striking thought: that the lane down to the river, which the 1969 Parish Council was so anxious to keep open, might once have been named in a Saxon boundary as the people's road.

Some of these crossings stayed in use within living memory. A note in the Society's papers records "the crossing place at the bottom of Boat Lane", where the boat that ferried people across to the Hillborough side in time of flood was tied to the Rector's willow. In 1948, it says, Alf Ivens "regularly used the ford and the track to Hillboro'", and so did the father of Keith and Mary Bott 01/35. At a Society meeting in 1972 the old men of the village remembered that boats went from the mill to the Hillborough side "taking men to work in the fields", and that in the flood of 1912 stooked corn had to be carried up to high ground on that side 24/01. These were working ways, not recreation. They were the shortest route between a labourer's cottage and his day's work.

None of this was a "right of way" in the modern sense. It was simply the way people went. Allan Brookes, speaking to the Society on rights of way in 1999, began from the Highway Act of 1555, which put the upkeep of roads on the parishes and treated the highway as "common to all the King's people" 38/01-03. Peter Drinkwater, author of *Ways and Waymarks in the Four Shires*, told the Society in 1983 that the old law hardly distinguished between kinds of way: Sir Edward Coke in 1639 wrote simply of "footpaths, cattle paths and cartways" 37/01-04. Before the enclosure, Welford's paths were part of that undivided mesh of customary ways.

Headlands and church ways The open-field village

Until about 1800 most of Welford's farmland lay in great open fields, divided into strips. A map of John Levett's estate made in 1762 by Thomas Richardson, now at the Gloucestershire Record Office, "shows strips scattered in open fields" and gives field and

furlong names, but it does not show roads or buildings 02/01–12. The Society's catalogue marks it “we have”, but no copy has turned up among the scans.

In an open-field parish the paths ran where the strips allowed. Headlands, the strips at the ends of the furlongs where the plough turned, were natural lines of travel. The 1972 panel of old villagers explained the name of Welford's Headland Road in exactly those terms. It was “the Head Land of the cultivated ‘strips’ where the plough was turned”, and “originally it was a cart track” 24/01. When the enclosure commissioners came to lay out new roads, they used that line. The award's Headland Road runs “South along the Long Headland to Bidford Road at Cross Furlong” 20/04.

The same panel recalled older routes that the modern roads had replaced. Mr Hawkins said that “the original road to the Mill was down Church Lane and along the river side”. The approach from the river to Church Lane “did not follow the present line of Binton Rd but was by way of the field path which emerges at the present stile & carries on past ‘Daffodil Cottage’” 24/01. That field path survives as the footpath the 1968 review called Keyte's Lane, which ran “over a private road by Daffodil Cottage, through iron clap gate by narrow padded path to Church End Lane” 12/03. A note added to Woodward's anecdote book in about 1970 says that Daffodil Cottage belonged to Richard Fletcher at the time of the award, and that later, when a builder's yard filled the private road, “you wended your way over the 4 ft footpath — beset by timber etc.” 21/22–66. The award's footpath to Binton Bridges began in Keytes Lane “adjoining a Cottage and Garden belonging to Richard Fletcher” 01/70. Three sources written more than a century and a half apart describe the same few yards of path.

Some of these ways were church paths. The enclosure award kept a 12-foot “Church Road” across the Rector's allotment “for the inhabitants of Little Dorsington and Bickmarsh”, so that people from those outlying hamlets could still reach Welford church 20/04. Another of its footpaths was “the usual footpath to the Church from the Upper end of Welford” 01/70. Within the churchyard itself, a path ran from Rectory Farm across the front of the Rectory, through a wicket gate, past the lychgate and out into Boat Lane. The 1961 Definitive Map left it out, and the parish had to ask for it to be added in 1968 12/03. Harry Basson, a bell-ringer, used a footpath through the churchyard from his cottage to the church 09/13–17.

The parish officers who looked after the ways in those centuries left only traces in this archive. Welford's constables' accounts for 1694 to 1735 record the constable carrying hues and cries and moving vagrants on to Binton, Weston, Marston, Bidford and Dorsington, the next parishes along the road. They also record the county "bridge money" of about £1 14s 10d a year 17/02. The accounts of the surveyors of the highways for 1726, 1730, 1733 and 1737-38 survive at Gloucester, and the catalogue notes that in 1730 an "ale account" was disallowed 02/01-12, but the Society holds only that catalogue entry, not the accounts. Nothing in the archive shows what the surveyors spent on footpaths, if anything.

"To continue for ever" The enclosure award, 1800-1802

The single most important document in the history of Welford's rights of way is the parish's enclosure award. An Act of 1800 authorised the enclosure 06/20. The award that followed divided the open fields among the landowners and replaced the tithes with land and rents. It also set out, for the first time in writing, every road and path that was to remain. The Society has the award in two typed abstracts and a notebook copy. One abstract carries a pencilled "1801" 47/98. The other's cover says "The Parish Award - 1802" 01/70. Woodward wrote of "the parish awards of 1800" 20/01. The award was probably signed in 1801 or 1802, but none of these copies gives its date in the text.

PUBLIC FOOTPATHS OVER NEW INCLOSURES

1. Four feet path from South end of Headland Road, Southwards over 3rd Allotment to William Badson to a stile at entrance to old Inclosure called Ram Close being usual footpath from Welford to Wont Hall.
 2. Four feet footpath from Crabb Mill Lane in Village of Welford over 1st and 2nd Allotment to William Badson, 2nd Allotment to William Osborne, 4th Allotment to William Badson, 7th and 8th Allotments to Rector to Meadows belonging to Thomas Slatter and continuing over the same meadows to a stile at the entrance to the Hamlet of Barton.
 3. Four feet path leading out of No. 2 near North West corner of Court Butts Furlong, thence Southwards over 1st Allotment to William Badson, then crossing Bidford Road over 3rd Allotment to William Baylis (late Holyoak) herein exchanged with John Fisher and over the Allotment to John Fisher and the Allotment to Jonathan Isod to a stile at the entrance to Meere Farm being the usual foot road from Welford to Long Marston.
 4. Four feet path from Church Lane along first mentioned private carriage road and from Southward end thereof along usual track over 1st Allotment to Duke of Dorset, the 2nd Allotment to William Badson, the 2nd Allotment to William Osborne, crossing Bidford Road into and over the Allotment to Richard Fletcher for his estate in settlement, the 3rd Allotment to Duke of Dorset, then crossing Bragington Road into and over 2nd Allotment to William Baylis (late Holyoak) and over 3rd Allotment to Rector, down part of the third described Private Carriage and Drift Road to a footbridge near the farmhouse belonging to John Hancox being the usual footpath from Welford to Little Dorsetton.
 5. Four feet footpath leading out of No. 4 in 3rd Allotment to Duke of Dorset and thence along East side of Bragington Road to a stile at Bragington Ley at entrance to Lordship of Great Dorsetton being usual footpath from Welford to Great Dorsetton.
 6. Four feet path from Keytes Lane in Village of Welford adjoining Cottage and Garden belonging to Richard Fletcher, over 1st Allotment to Richard Fletcher (late Horsmans) and communicating with Bridges Road near North East corner of Pamborough Furlong being footpath from Welford to Binton Bridges.
 7. Four feet path from Crabb Mill Lane along usual track over 1st Allotment to William Badson, 1st Allotment to John Cox, 1st Allotment to William Wakefield and the Allotment to William Allcock by the side of several Homesteads and Gardens to Church Lane, being the usual footpath to the Church from the upper end of Welford.
- PUBLIC BRIDLE ROAD. 15 feet - From Duck Lane in or near present track by side of Welford Close to entrance of Lordship of Weston.

“Public footpaths over new inclosures”. A page of the typed abstract of the Welford enclosure award, listing the seven four-foot paths over the newly allotted fields and the 15-foot bridle road to Weston. Path 6 starts in “Keytes Lane”, the lane Woodward said was later called Church Lane. 01/70

The award arranged its ways in a strict hierarchy. At the top were five public carriage roads, each 40 feet wide: the Bidford, Braggington, Headland, Long Marston and Bridges roads. Below them came thirteen private carriage and drift roads, for the use of named owners and occupiers, such as the 17-foot road to the mill and the 25-foot road to Wont Hall. Then came the paths: one public bridle road, seven public footpaths over the new enclosures and eight over the old ones. Two small pieces of land, one in Church Field and one in Bridges Field, were kept “for ever” as public gravel and stone pits for the repair of the roads 20/04, 47/98.

The footpaths over the new enclosures were each four feet wide and each was described by the allotments it crossed and where it went. The award's own descriptions name the destination in almost every case, as “the usual footpath” or “the usual foot road” from Welford to somewhere else:

NO.	PATH IN THE AWARD	STARTS AND ENDS
New 1	Welford to Wont Hall	South end of Headland Road to a stile at Rams Close
New 2	Welford to Barton	Crab Mill Lane, over Badson's, Osborne's and the Rector's allotments and Thomas Slatter's meadow, to a stile at the entrance to Barton
New 3	Welford to Long Marston	Out of No. 2 near Court Butts Furlong, across the Bidford Road to a stile at Meere Farm
New 4	Welford to Little Dorsington	Church Lane, along the mill road, across the Bidford and Braggington roads to a footbridge by John Hancox's farmhouse
New 5	Welford to Great Dorsington	Out of No. 4, along the east side of Braggington Road to a stile at Braggington Ley
New 6	Welford to Binton Bridges	Keytes Lane, by Richard Fletcher's cottage, to the Bridges Road near Pamborough Furlong
New 7	Upper end of Welford to the Church	Crab Mill Lane, by the homesteads and gardens, to Church Lane
Bridle	Bridle road to Weston, 15 ft	Duck Lane, by Welford Close, to the entrance to the Lordship of Weston
Old 1	Lower end of Welford to Weston	Stoney Stile Lane, over Long Close, Broad Close and Peartree Close to a stile at Wesson Close
Old 2	Upper end of Welford to Weston	A lane by Luke Court's cottage, to a stile at the Lordship of Wesson
Old 3	Twitchwood Lane to	The street, through William Jackson's homestead and Harris's Close,

NO.	PATH IN THE AWARD	STARTS AND ENDS
	Duck Lane	to another street near John Winn's house
Old 4	The Moor to join Old 1	From Baylis's close called the Moor, northwards
Old 5	To the Meere	Out of Old 2 to a stile at the Duke of Dorset's close called the Meere
Old 6	Duck Lane to Weston	By the end of the Duke's cherry orchard, over the Vicarage close
Old 7	Baylis's orchard to Old 3	Along the north side of Harris's Close
Old 8	The street to New 7	Through Cox's Close by Harper Holtham's homestead

Two things stand out in this list. The first is how many of the paths led east, to Weston. Four of the eight paths over the old enclosures, and the bridle road, went that way. Weston was a separate parish with its own church, but the two villages were bound together by work, marriage and, for a time, schooling. The 1974 Society quiz recorded that children from the Maypole end of the village went to Weston School until it closed in the 1920s 37/01-04. The fields between them were crossed by a fan of paths, each starting from a different part of Welford's long street.

The second is the stiles. The award repeatedly ends a path "at a stile": at Rams Close, at the entrance to Barton, at Meere Farm, at Braggington Ley, at Wesson Close, at the Meere. A stile marked the point where a path left one man's land for another's, or one parish for the next. It kept stock in while letting walkers through. The award also mentions a footbridge near John Hancox's farmhouse on the way to Little Dorsington. A footbridge over "Dorsington Brook" was still costing the Parish Council money nearly a century later 18/13.

The award closed its schedule of ways with a sentence that later generations would quote back at the authorities:

The forementioned roads and footpaths to continue for ever. All other roads and footpaths are hereby stopt and discontinued.

Welford-on-Avon Parish Award 01/70

Those two sentences cut both ways. The first guaranteed the paths the commissioners had listed. The second extinguished every other public way across the fields of the parish. Any customary path the commissioners left out was legally closed at a stroke. The notebook copy adds a line in capitals at the same point: "Roadside grazing rights are defined in the awards" 20/04. For the next two centuries, anyone who wanted to prove that a path in Welford was public

began with the award, and anyone who wanted to deny it pointed out that the path was not in it.

Stony Stile Lane and the Limey The names on the ground

The paths have had more names than numbers. The award described them by the closes, allotments and owners they crossed. The County's Statement of 1961 described them by distances from the Post Office. Villagers have always called them something else. A good part of the history of Welford's paths lies in those names, and in matching them up.

Stony Stile Lane. The award's first path over the old enclosures left the village "at a lane called Stoney Stile Lane" and crossed Long Close towards Weston 20/04. Woodward placed the lane exactly. Joseph Harris, called "Fried Bread", lived in one of two old thatched cottages nearly opposite Welford House, "and have their backs against the little lane which leads to the footpath across Long Close ('Stony-stile Lane' in the Awards)" 20/01. In 1961 a pencil note in the Society's copy of the County's Statement wrote "Stony Stile Lane" beside path SD 27b, which ran from the High Street "through Long Close" 12/03. The 1968 review described the same path from "Bell Bank, alongside cottages in High Street", through Long Close by "Willowmere" and along the southern boundary of "Witchgate" into Abraham's Bank 12/03.

Crab Mill Lane, the Liney, the Limey. Two of the award's paths, to Barton and to the church, started in "Crabb Mill Lane". The crab mill was the cider mill. An account of the Cider Mill house in the Society's papers says that the mill "butts onto the footpath called The Liney [?], but old deeds call it Crab Mill Lane" 10/01-08. The 1968 review called the same straight gravelled path, from opposite Maypole Stores through a clap gate to the Headland, "The Limey" 12/03. The pencil note on the 1961 Statement offered "Limey?" 12/03. Whether the true name is Liney or Limey cannot be settled from these papers. In 1912 the Parish Council heard complaints about "old tins & broken bottles" dumped on the path "near Cider Mill" by Charles Horne 18/14. A sketch map of about the first half of the twentieth century still labels the lane "Crab Mill Lane" 47/99.

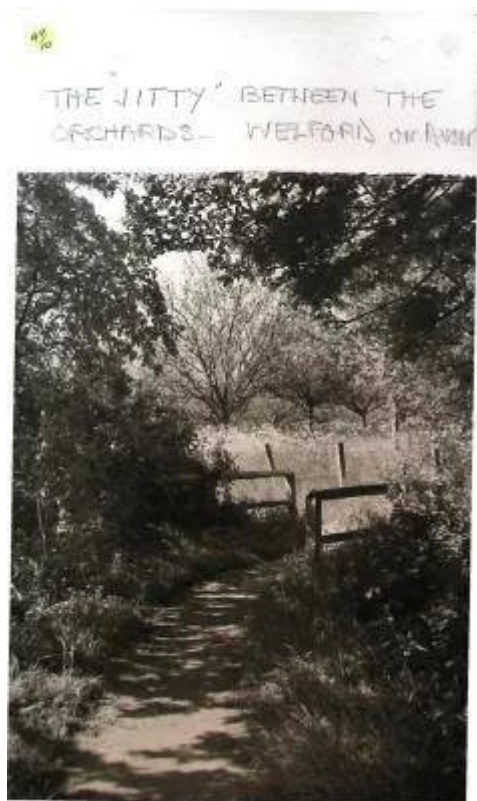
Keytes Lane. The award's path to Binton Bridges began in Keytes Lane. By 1938 Woodward noted that "Keyte Lane is now called Church Lane" 18/15, but the name did not die. Keyte's Close was a piece of glebe sold in 1926 18/14, 18/31. The 1968 review called the

footpath from Glebe Cottage to Church End Lane “Keyte's Lane” 12/03, and in the early 1990s the Parish Council was worrying about the blocked and polluted ditch “along the eastern side of Keytes Lane footpath” 60/06.

Harris's Close and Millers Close. The award's third path over the old enclosures ran through Twitchwood Lane and Harris's Close to “another street in Welford”. By 1938 Harris's Close was Millers Close, and Woodward recorded in red ink that the path “is now merged in the road through the Council Houses in Millers Close” 18/15. The Parish Council had dealt with a stile there in 1913 18/14.

Pool Close and Saw Pit Close. Path SD 28 left Chapel Street at Pool Close. SD 28a came in from the Long Marston road. The pencil notes of 1961 give “Pool Close” and “Saw Pit Close” 12/03. The 1968 review traced SD 28a from Bird's Lane by “The Retreat”, through a wicket gate in Frog Lane opposite Priors Lee, “not to be locked”, along to Devon Cottage and another wicket gate, “also not to be locked”, and “through Sawpit Close by step-stile to Pool Close and Chapel Street” 12/03. In 1977 Gilda Gray described a watercolour of Nickall's Cottage in Chapel Street, “where Saw Pit Close stile crosses the footpath from Chapel St. to Frog Lane” 08/01–19. Pool Close appears in the award too, crossed by a private road to the Duke of Dorset's Little Close 20/04. In 1912 and again in 1914 the Parish Council took up the “bad condition” of the path through it 18/14.

The Alley, the Knap, the Jitty. Some names appear only once. The 1968 review called the path from the Corn Mill to the High Street “The Alley”, and the path behind the High Street properties, which joined the Limey, crossed “The Knap” 12/03. A photograph in the archive is captioned “The ‘Jitty’ between the orchards — Welford on Avon”. It shows a shaded path under trees leading to a wooden stile, with orchard trees beyond 49/10. The archive does not say which path it is.



"The 'Jitty' between the orchards". An undated photograph of a shaded footpath leading to a wooden stile, with orchard beyond. Jitty is a Midland word for a narrow passage between walls or hedges. 49/10

Abraham's Bank. The bridle road to Weston ran along the river below the village. The Parish Council minutes of 1925 and 1926 call it the "Bridle Path by Abraham Bank" 18/14. A note on the 1951 river carnival defines Abraham's Bank as "the riverside from the bottom of Duck Lane following the bridal path to Weston" 52/09. By the 1960s there was a business there called Abraham's Bank Nurseries, and a house in Duck Lane called Bridle Path, whose owner was listed as "Mr Baker, Bridlepath" 20/06, 30/05.

There are smaller survivals too. A 1932 contract for Croft Cottage, later Cherry Croft, on the road to the church, describes the property as bounded "on the south by a public footpath" and binds the buyer to keep up a quickset hedge against it 49/38. A sale schedule for Cherry Orchard Farm lists a plot described as the "site of public footpath and bank" 13/43-51. Deeds of 1873 describe a half-acre garden "bounded on the East by a footpath" 10/17-22. Each of these is a line on a deed that assumes the path is permanent.

The paths had their folklore as well. Mrs Wilson Matthews, who died in 1969 aged 85, said that her father had told her of a witch, "L— G—", who used to turn herself into a cockerel and crow from

“the top bar of a stile which stood about where Mr Drake lives in Binton Road”. The horses working in the next field were so terrified that they would not move until the cockerel flew down 21/22-66. The tradition was that the woman was driven out of the village.

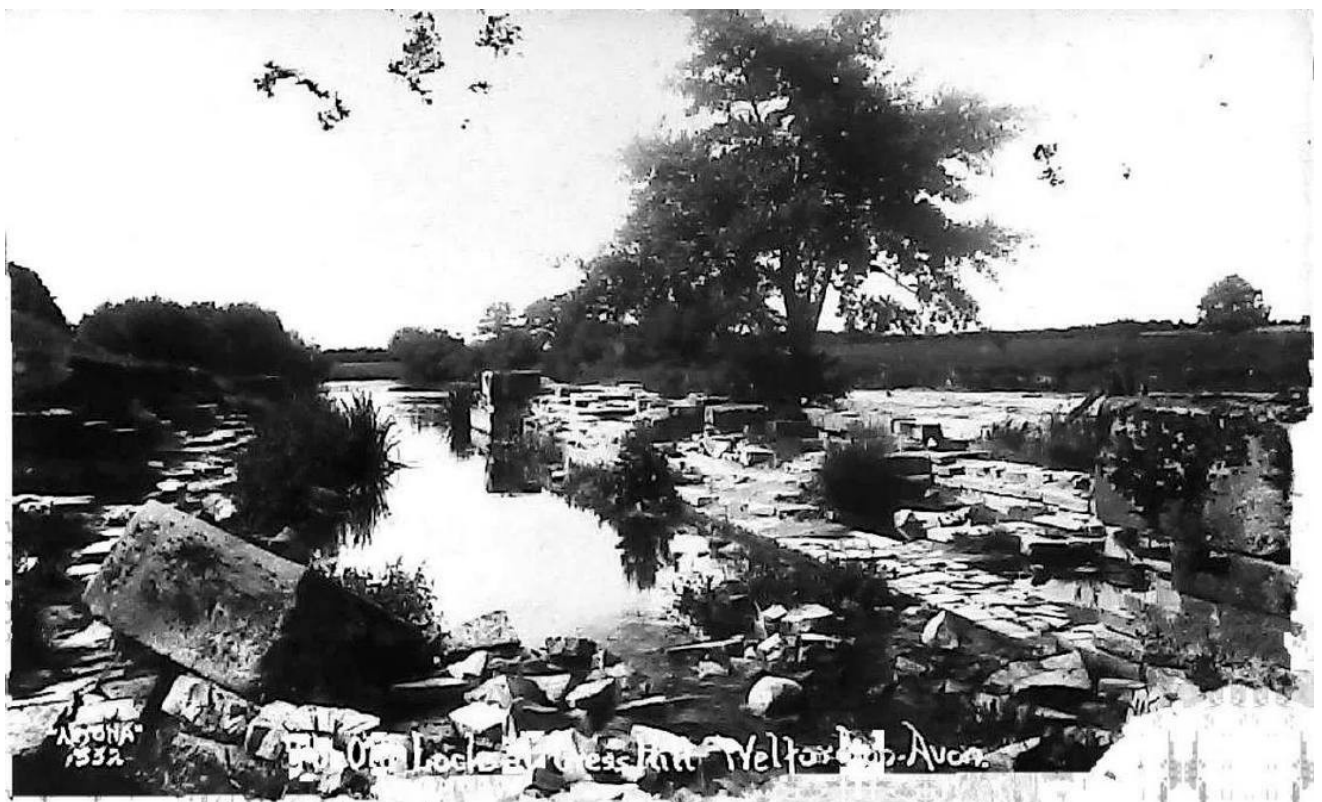
The towpath that was never a path The Avon navigation and the argument of 1941

The most obvious long-distance path in the parish ought to be the towpath. From the 1630s, when William Sandys made the Avon navigable, until the navigation decayed in the nineteenth century, barges came up past Welford to Stratford. A talk on the river in the Society's papers says that Sandys at first met strong opposition “from landowners not willing to provide land for towpaths” 52/09. On the Avon the barges were not drawn by horses, as on a canal, but by teams of men called bow-hauliers, who were harnessed to the tow line by loops of rope called “bows” 52/09.

Woodward knew a man who remembered them. Frederick Brookes, one of the first members of the Parish Council in 1894, “could describe clearly the course of the tow path used when the Avon Navigation was still in use. He knew the points at which the men who towed the boats crossed from one bank to the other” 18/13. Brookes lived in a cottage on the private road that led from the Headland Road to the mill.

In the summer of 1941 the towpath became a public question. The Stratford Herald printed a run of letters, which Woodward cut out and pasted into his scrapbook 20/01. The first, on 1 August, argued from the Enclosure Award and from a wooden platform on a pier of the Stannels Bridge that a towpath had run along the right bank as far as Binton. Its writer added a warning: on a navigable river, unlike a canal, a towpath does not make a public footpath. The next week “A Stratfordian in Exile” remembered the barges being poled or hauled by men, and the platform he had used as a boy. Edward Kerby of Church Bank Farm, Binton, denied that there was any footpath on his land, which could be reached only through gates. The editor added that “no-one defends ‘arrogant picknickers’; the whole point is whether or not there is a public right-of-way here.” On 15 August G. R. Talbot, of the Rivers Bure and Waveney Commissioners at Great Yarmouth, wrote that a right of towage might arise from custom but did not create a public right of way along the bank 20/01.

Woodward's own letter settled the Welford side of the question as far as the documents could. He explained that the path "changed banks wherever the river or buildings required". Above the lock at Cress Hill it lay on the right bank to Black Cliff, crossed to the Gloucestershire side, and crossed back at Green Hill near the Binton bathing-place. It had been of little use as a public footpath, he said, because in places it could be reached only from the river or from private land. And it was not described in the Welford parish awards, "as any public right of way would have been". In Micham meadow its track could still be traced as a low mound 20/01. The notebook copy of the award bears him out. No towpath appears anywhere in its schedules 20/04.



The old lock at Cress Hill. A real-photo postcard of the ruined lower lock and weir, with the stone coping of the lock chamber along the right-hand bank. Woodward said the bow-hauliers' path lay on the right bank above this lock before crossing the river. 52/88

The question did not go away. In May 1989 Don Hildred, chairman of the Stratford-on-Avon Ramblers' Association, wrote a report for the Parish Council. He suggested that the County's coming review of rights of way would be a good time to consider extending the riverside footpath SD 26 "along the riverbank from Boat Lane to the Four Alls". "It must have so run in the old navigation days," he wrote 05/13. The archive does not record any answer. On the evidence Woodward assembled in 1941, the old towing line was a

working easement for the navigation and never a public path. If a public path was to run there, it would have to be created afresh.

Stiles, hedges and the new council 1894–1926

When Welford's Parish Council first met in December 1894, footpaths were among its earliest business. Woodward made notes of its first two minute books in 1940, with a margin heading "F.P." wherever a path came up 18/13, 18/14. Read together, those notes give a rare view of how a village looked after its paths in the generation before the motor car.

The first case came within months. In April 1895 the council wrote to James Carr, landlord of the old Boat Inn, "asking him to remove an obstruction to a right of way in Boat Lane". In July a letter came back from Carr, and the chairman reported that the obstruction had been removed 18/13. In October 1896 Carr asked the council to define the boundaries of the "Old Mill Road", and in January 1897 a sub-committee reported with "a quotation from the Parish Awards" 18/13. The award's private carriage and drift road to the mill, 17 feet wide, ran from the Headland Road westward to the mill "for the accommodation of the Duke of Dorset, the owners and occupiers of the Mill, and the owners and occupiers of premises adjoining" 20/04. The award was already the council's first point of reference.

The minutes then record a steady trickle of small cases, which is what the upkeep of paths has always mostly been:

- October 1899: the footbridge over the Dorsington Brook to be repaired, at a cost of £3 5s 18/13.
- October 1900: "Footpaths" on the agenda. January 1901: the margin note "Footpath not a Bridle Path", recording a ruling on the status of one of the ways 18/13.
- April 1908: a proposed wooden footway at Binton Bridges 18/14.
- January 1912: the bad condition of the footpath through Pool Close. April 1912: tins and broken bottles dumped on the path near the Cider Mill 18/14.
- January 1913: a stile in Millers Close. July 1914: the footpaths through Pool Close and to Weston-on-Avon 18/14.
- January 1919: complaints of overhanging hedges on the path from the Mulberry Tree. April 1919: notice to cut the hedges on both sides of that path, and the flooding of the footpath by "The Ashes". July 1919: a broken stile on an arable path 18/14.

- October 1925 and January 1926: the bridle path along Abraham's Bank, with a letter from a solicitor, Mr Crane 18/14.
- April 1926: "Footpath & Right of Way: Manor Farm to Weston Boundary". May 1926: the footpath from Welford to Barton to be inspected 18/14.

Woodward's notes give only the headings, not what was decided. Still, the pattern is plain. The council's path business was obstructions, stiles, hedges, rubbish and flooding, with occasional larger questions of status. The 1926 entries about Abraham's Bank and the way from Manor Farm to the Weston boundary are about the bridle road of the award and the paths alongside it. A solicitor's letter suggests that someone was disputing the public's rights there, but the notes do not say who or why.

The council was not the highway authority. In 1896, 1897 and 1898 it appointed a waywarden: Frederick Hancox, Cleveland Green and Joseph Hewer in turn. Under an Act of 1862, a later clerk explained, parishes were grouped into highway districts, and the Highway Board of each district was made up of the waywardens elected for its parishes and the resident justices 12/09. Responsibility for the ways passed upwards over the following decades, first to the Marston Sicca Rural District and the Gloucestershire County Council, and after 1931, when Welford moved into Warwickshire, to Stratford and Warwick. The parish council kept the job of noticing, complaining and reminding.

It went on doing so. A report of a Parish Council meeting chaired by W. J. Matthews, in about 1950 or 1951, records that "action had been taken concerning footpath obstructions" 13/15. A notice for the meeting of 1 December 1955, sent to Mrs Gilda Gray, lists "Potholes and Footpaths" as a matter arising 18/09.

Walking for its own sake Late Victorian and Edwardian Welford

The paths were for work first. By 1900 they were also for pleasure. In 1906 J. H. Garrett, said to have been a headmaster of Bristol Grammar School, published *The Idyllic Avon*, an account of a boat journey up the river from Tewkesbury to Stratford. The Society kept extracts from it. Of Welford he wrote:

Thus at Welford you live quietly, finding exercise and interest in walking to this and that little village, and in conversing with rustics

upon affairs of the farm and the fruit-garden. This kind of idling is done with least disturbance in fine weather when you may range the country by footpaths across the fields, taking the path you find on hazard, as it matters little where it leads you, because you have no particular object in arriving anywhere.

J. H. Garrett, *The Idyllic Avon*, 1906 11/33, 15/04

He described the walk to Weston precisely: “the parish church of Weston-on-Avon, less than a mile from the may-pole, down Chapel Lane and through a couple of fields by a footpath over stiles” 15/04. That is the award's path from the upper end of Welford to Weston, or one of its neighbours, a hundred years after the commissioners described it.



The river at Welford, 1900. A W. A. Smith photograph of a lone angler in the long grass of the bank. At the right a timber structure stands at the water's edge, perhaps a landing stage or an old stile. The church tower is faintly visible through the trees on the skyline. 52/62

Woodward recorded a more practical use of the Weston paths. In 1934 Tom Harris, the old postmaster, told him about John Buckland, who suffered from erysipelas and rode with an umbrella to shield his face. When Buckland visited his brother-in-law at Milcote Manor, “he would nearly always ride home along the bridle path by the river at Abrahams Bank, and at night Tom Harris had to accompany him on foot along the foot-path above which runs parallel to the bridle path, carrying an old horn-lantern to guide his

master". On reaching home Buckland gave the boy twopence "to buy yourself some lollipop" 20/01.

The story shows the two Weston ways side by side: the bridle road at the river's edge, used by a man on horseback, and a footpath on the higher ground above it, used by a boy on foot. In 1968 the Parish Council asked the County to add exactly such a path to the Definitive Map: a footpath "from Pear Tree Close up steps on south side of BR No. SD 27, and proceeding under hedge parallel above bridle road to exit by Weston Fields Council Houses. This path is used in time of flood" 12/03. Tom Harris's lantern walk is the earliest evidence in the archive for that path.

Woodward's schedule and the lost footroad 1938

In October 1938 Harry Woodward, Welford's antiquary and a parish councillor since 1919, sat down with the award and a map and compiled "A Schedule of the Public Footpaths of Welford-on-Avon as described in the Parish Awards". The map, now lost, coloured the paths over the new enclosures red and those over the old enclosures green. On the old village roads (High Street, Church Street, Church Lane, Boat Lane and Chapel Street with Duck Lane) he used vermilion, and the new roads of the award light red 18/15. He noted that Boat Lane was called Mill Lane in the award.

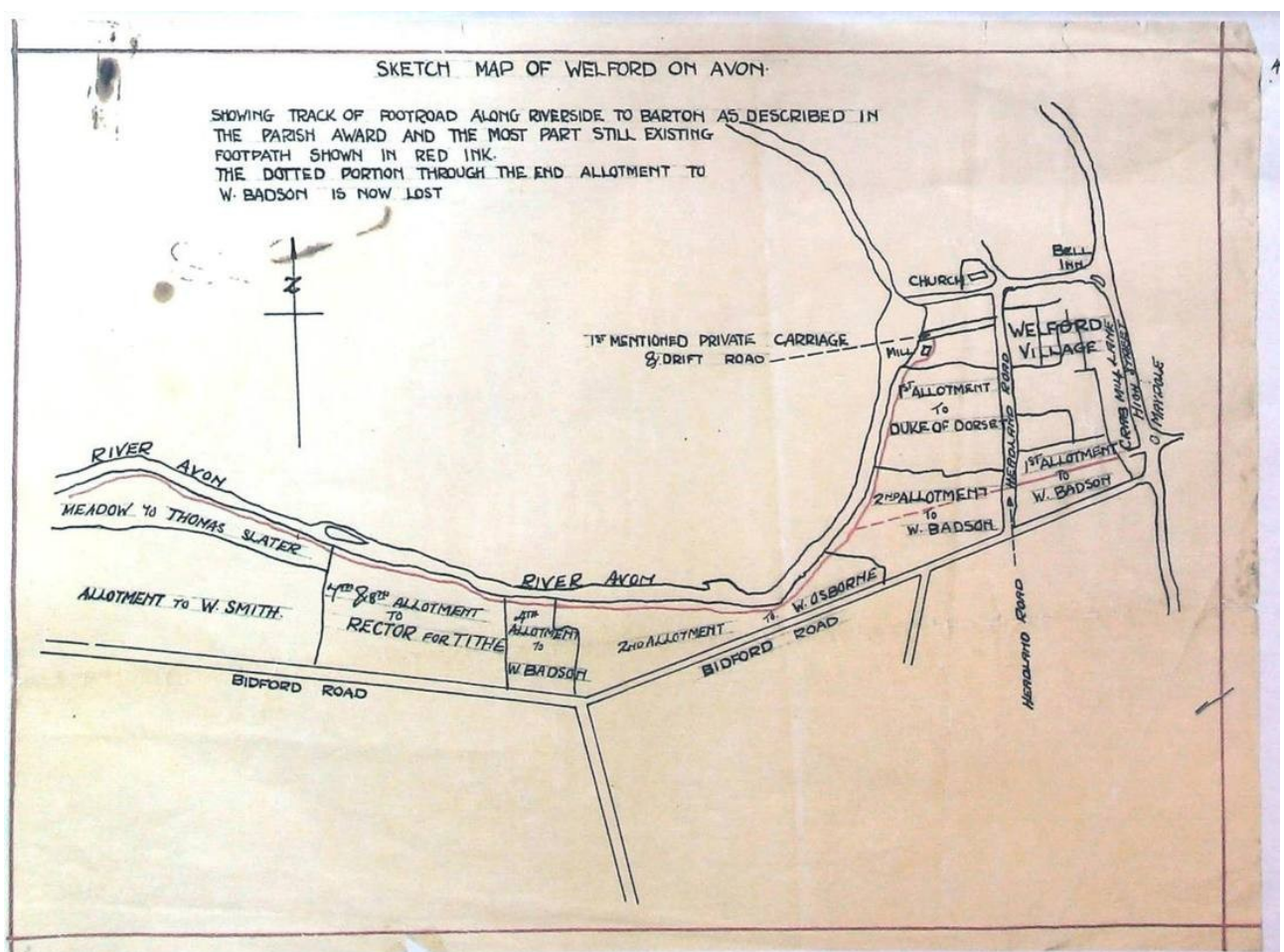
His red notes on the schedule are the first systematic record of what had become of the award's paths after 137 years:

- **Welford to Barton (No. 2).** "That part of this above described path which crossed the 2nd Allotment to William Badson has long been disused." The rest could be reached by another path and "was confirmed as a public right of way after a District Council enquiry held" — and there the sentence stops 18/15.
- **Welford to Long Marston (No. 3).** "The whole of this path has long since fallen into disuse and is marked on the map by a dotted line only" 18/15.
- **Welford to Little Dorsington (No. 4).** This was the path by which the public reached the surviving part of the Barton path. Part of it, over the allotments to Richard Fletcher and the Duke of Dorset, is also marked in dotted lines, with a note that is partly struck through and illegible 18/15.
- **Welford to Great Dorsington (No. 5).** "This path is never used now so far as I know" 18/15.

- **Twitchwood Lane to Duck Lane (old No. 3).** "Now merged in the road through the Council Houses in Millers Close" 18/15.

So by 1938, of the seven four-foot paths over the new enclosures, at least two had gone completely and two more in part. The paths that survived best were the ones that were still useful: the ways to Weston, to Binton Bridges and to the church. The long paths across the arable land to Long Marston and Great Dorsington, which had served people walking to work or market, had been ploughed out or simply abandoned once the roads were good enough and the bicycle had arrived.

A second document records the same loss on a map. Among the Society's papers is a hand-drawn "Sketch Map of Welford on Avon, showing track of footroad along riverside to Barton as described in the Parish Award and the most part still existing footpath shown in red ink". Its title block ends: "The dotted portion through the end allotment to W. Badson is now lost" 47/99.



The footroad to Barton. An undated, unsigned sketch map tracing the award's path along the riverside from the Bidford Road, past Thomas Slatter's meadow and the Rector's allotments,

to the mill and the village. The broken red line through Badson's allotment, between the Headland Road and Crab Mill Lane, marks the stretch “now lost”. The lettering and the village shown suggest a date between about 1900 and 1950. 47/99

The map is careful. It names each allotment-holder from the award (the Duke of Dorset, the Rector for tithe, Badson, Osborne, Smith and Slatter) and separately labels the “1st mentioned private carriage & drift road” to the mill, so that the public footroad and the private drift road are not confused 47/99. Its lost section lies in exactly the place Woodward described: the 2nd Allotment to William Badson. It may well be the map Woodward drew, or one made for the District Council inquiry he mentions. Neither is certain. Maps like this were made when a path was in dispute, to fix its line before the memory of it went.

Woodward's work had another use. The 1938 schedule was compiled in the same years as the national campaign for access to the countryside, and it gave the parish a written record to set beside the County's survey when that came a decade later.

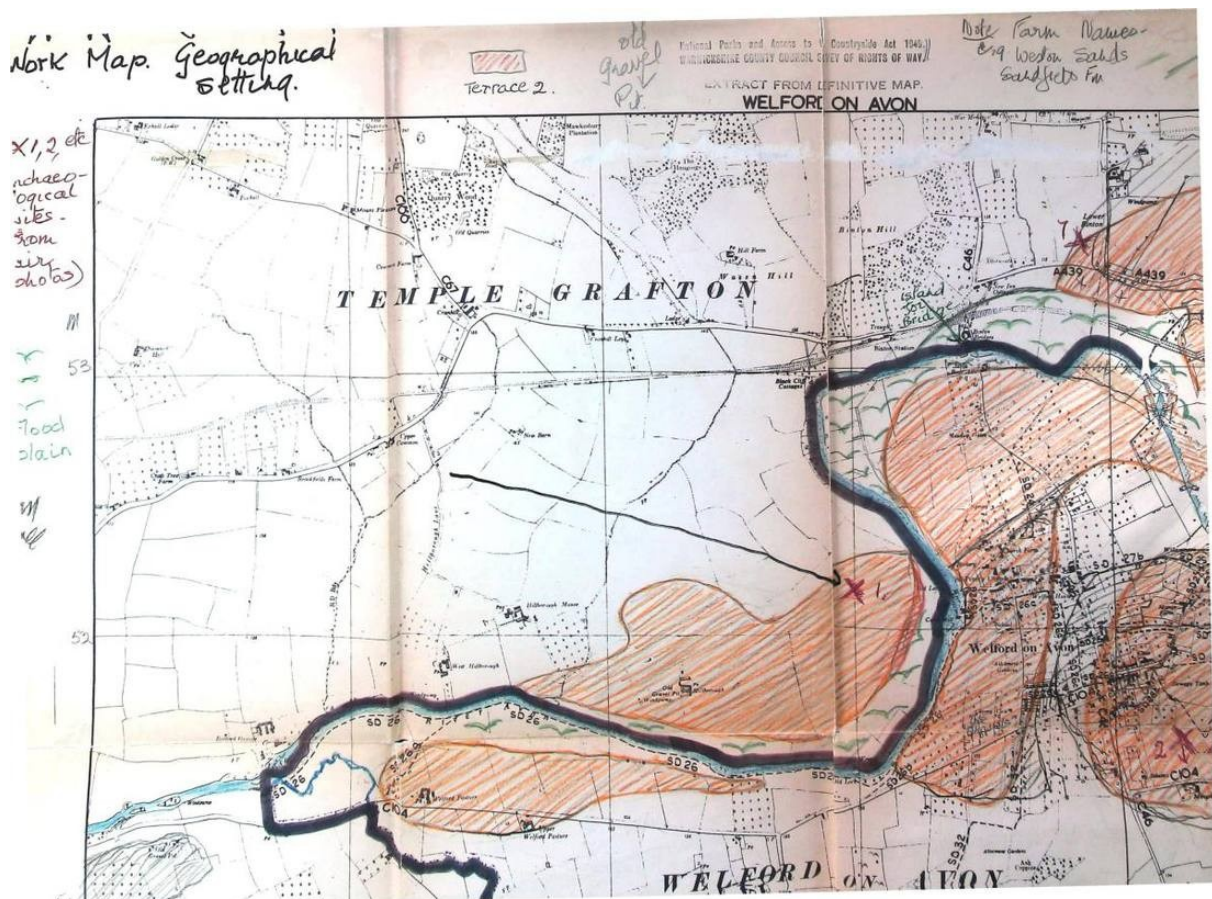
The Definitive Map 1949–1961

The National Parks and Access to the Countryside Act of 1949 changed the law of footpaths for good. It required every county council to survey the public paths in its area and record them on a “Definitive Map”, with a written Statement describing each one. A path on the map was conclusive evidence that the public had at least that right. A path left off it was not extinguished, but anyone who wanted to use it now had to prove it.

The survey began with the parishes. Don Hildred told the Society in 1986 that “in 1948/49 Parish Councils in this Country had to declare all their footpaths although unfortunately not all Councils declared all their footpaths” 37/01–04. Welford's own survey sheets were completed in 1951. The Parish Council's letter of 1969 quotes one of them, dated 24 October 1951, describing the path “River end of Boat Lane, through orchard belonging to Boat Cottage (Boat Inn) to Welford Mill and weir” 06/01. The Parish Council's correspondence file on rights of way, now at Warwick, also starts in 1951 50/41.

Warwickshire then worked through three stages. The relevant date of the Draft Map and Statement was 24 February 1954, and of the Provisional Map and Statement 8 June 1960. The Definitive Map and Statement for the Borough of Stratford-upon-Avon and the Stratford-on-Avon Rural District showed the paths over which

“public rights of way subsisted and are reasonably alleged to have subsisted” on 11 October 1961 12/03. Paths shown on the Draft Map that the County decided were not public were simply dropped, leaving gaps in the numbering. The regulations prescribed the colours: footpaths in purple, bridleways in green, and roads used as public paths in broken green 12/03. On the hand-coloured copies in the Society's archive, both footpaths and bridleways are drawn in green 12/04.



“Work Map. Geographical setting.” A 1949 County Surveyor's extract from the Definitive Map for Welford, at six inches to the mile, later reused by a Society member to plot the Avon's flood plain, gravel terraces and crop-mark sites. The printed footpaths and roads lie underneath the hand colouring. 03/26

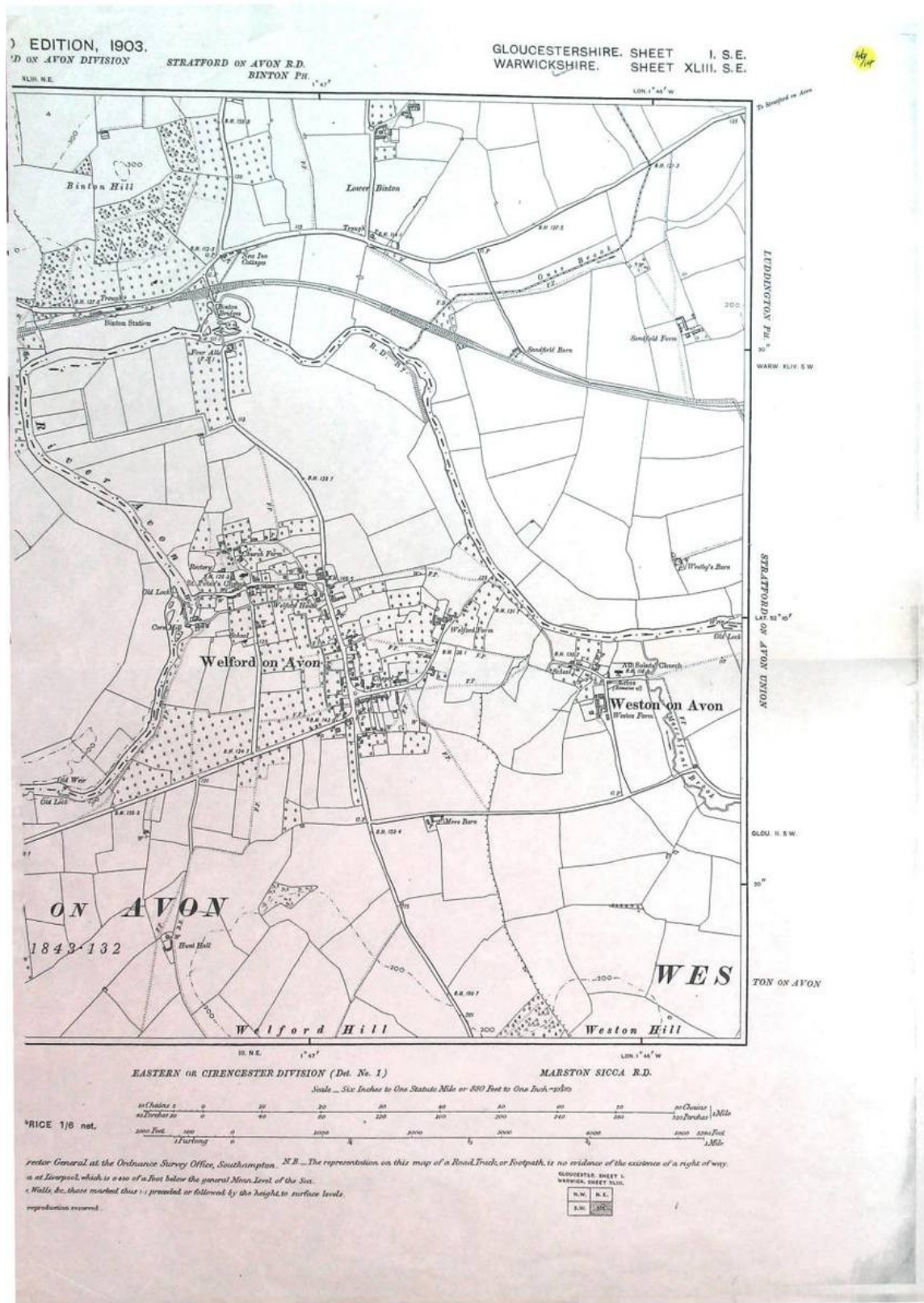
The Statement gave every path a number in the Rural District series, prefixed SD. Welford's paths fell between SD 24 and SD 32. They were described in the dry style of the surveyor, measured in yards from fixed points, with the surface and width where known:

SD 26 F.P. From Boat Lane, Welford-on-Avon, 200 yards west-south-west of St. Peter's Church, southwards, passing immediately east of Welford Corn Mill, then following the left bank of the River Avon to the Rural District boundary, 230 yards south of Bidford Grange. Padded track 2 to 4 feet wide.

Statement accompanying the Definitive Map, October 1961 12/03

"Padded track" was the County's term for a path trodden into the earth. A few Welford paths were better made. SD 26c, the route from the mill along Mill Lane, across the Headland and round to the Long Marston road, was a metalled road as far as the mill and then "cinder track 3 feet wide". The path from the High Street along The Alley was also cinder. The path to the Headland was gravelled, four feet wide. The bridle road to Weston, SD 27, was recorded as a "padded track, 4 feet wide". Someone pencilled "15 feet wide" beside it, the width the award had given it 12/03.

Counting from the Statement, the Definitive Map gave Welford about sixteen public paths and one bridleway, from SD 24 by the Binton road to SD 32 across Welford Hill towards Dorsington. Most of them correspond to paths in the award. SD 27b through Long Close is the award's path from Stony Stile Lane. SD 26 along the river follows the award's footroad to Barton. SD 31, which crosses Noleham Brook to Dorsington, runs past Bunkers Hill in the direction of the award's path to Little Dorsington. The 1961 Statement also includes routes the award does not describe, among them SD 28 and SD 28a through Pool Close and Saw Pit Close 12/03. The archive does not show how those came to be accepted as public.



The 1903 Ordnance Survey six-inch map. The sheet marks footpaths across the fields south of the village with the letters F.P., but carries the standard warning: "The representation on this map of a Road, Track, or Footpath, is no evidence of the existence of a right of way." The Definitive Map was the first map of the parish that was such evidence. 46/14

Hildred later remembered that “footpaths are marked in different ways by each county”, and that Warwickshire “was not a very good county” for signposting them 37/01–04. The Statement itself had no signs, only words. Its fixed point for half the village paths was the Post Office. That choice was to annoy the parish.

The parish meeting of 1969 The Countryside Act review

The Countryside Act of 1968 required counties to review their Definitive Maps. On 20 February 1969 Warwickshire County Council wrote to Welford Parish Council asking for its comments. The council called a special Parish Meeting, which was held on Tuesday 22 April 1969 with the chairman, Mrs Gilda Gray, the six other councillors and 33 electors present. On 29 May the clerk, H. W. Passmore, sent the County the result 06/01.

The letter is polite and firm. “Without seeking in any way to attach any blame the Parish Meeting wishes to record important omissions and inaccuracies in the Statement and Definitive Map prepared under authority of the 1949 Act.” Its first point was the path across the Boat Orchard, which it said the map showed on the wrong line: “Here the Map is incorrect.” Its second asked for “more simple, straightforward and realistic descriptions of paths and a bridle road”, and made a point that every villager will understand:

The Meeting suggests that reference should not be made to the “Post Office” in locating footpaths. The Maypole or the “Maypole Stores” are deemed to be more suitable.

H. W. Passmore, Clerk, to Warwickshire County Council, 29 May 1969
06/01

The meeting also recommended renumbering the paths “to improve the sequence of paths in the Map and to include in this sequence certain paths omitted up to now”. Because the County's claim forms “seem to be unsuitable for dealing with the points now being raised”, it attached a schedule 06/01. The letter in the archive has no schedule with it, but a three-sheet typed schedule headed in pencil “1968”, bound into the Society's copy of the 1961 Statement, matches its description exactly 12/03. It was probably drafted for the 1969 meeting, and it is the most detailed description of Welford's paths ever written.

The schedule did four things. It added three paths that the 1961 map had left out: Keyte's Lane, from Glebe Cottage to Church End Lane; the churchyard path from Rectory Farm past the lychgate to Boat Lane; and the flood path above the bridle road to Weston. It renumbered the SD 24 to SD 27 group so that the numbers followed the ground. It rewrote the descriptions using local landmarks and names. And it noted a diversion of SD 32 at Hunt Hall Farm "currently being advertised" 12/03.

The rewritten descriptions read like a walk round the village with someone who has lived there all their life:

From Chapel Street through iron gates opposite junction with Millers Close under hedge in easterly direction, through second wicket gate alongside Cherry Orchard (Orchard Nurseries) through field gate and over footpath into Weston-on-Avon village. Padded track 4 ft. - 10 ft. wide.

1968 review schedule, proposed SD 27b 12/03

Opposite Maypole Stores through clap gate and proceeding in westerly direction to The Headland, exit between Council Houses (Headland Close backs) and bungalow occupied by Mr. Derek Allard. Straight gravelled path 4 ft. - 5 ft. wide, known as "The Limey".

1968 review schedule, proposed SD 26f 12/03

Some corrections were blunt. The 1961 description of SD 26b "is meaningless", the schedule said, and the parish proposed to replace it with a path "from the top of Cress Hill north-eastwards across Parish Field over stile to the left bank of River Avon" 12/03. The parish had bought the field at Cress Hill only in 1960. The description of SD 26e was "confused". The bridle road to Weston was to be described as running "from Manor Farm, Duck Lane ... north-north-east to Pear Tree Close and then following clearly defined way to Weston-on-Avon along left bank of River Avon. Bridle road 15 ft. wide". The path over the Moat Field to Weston "may be used by cyclists" 12/03.

The schedule names the owners whose land the paths crossed, as the award had done. Welford Pastures Farm belonged to Mr Gwillim, Bunkers Hill to Mr Oscar Hahn, Little Dorsington Manor to Mr R. Roberts. The cottages on Bell Bank were owned by Mr D. Francis 12/03. Gates are named as carefully as owners: iron clap gates, wicket gates "not to be locked", a step-stile, a hunting gate

on the way to Noleham Brook. The archive does not show how much of the schedule the County accepted. The cut-down Definitive Map extract in the Society's papers still carries the old numbers 12/04.

Boat Orchard and the weir 1969–1977

The first point in the 1969 letter turned into the most bitter footpath dispute in the archive. The path concerned ran from the river end of Boat Lane southwards to the mill and the weir. The 1951 survey sheet said it went “through orchard belonging to Boat Cottage (Boat Inn)”. The Definitive Map showed it on a different line. The Parish Meeting “had no hesitation or doubt in affirming that this footpath actually crosses The Boat Orchard, having been in general use for generations” 06/01. The 1968 schedule described it running “through The Boat Orchard then by padded track alongside a wall belonging to The Mill House, turning east then at once south by Welford Corn Mill” 12/03.

By then the orchard had a new owner. Eric C. Fisher, head of Melford Construction Ltd of Stratford and president of the Redditch and Bromsgrove Junior Chamber of Commerce, had won a planning appeal to the Ministry of Housing and built a house on the land. He moved in in August 1969, a few months after the Parish Meeting. According to the archive's own notes, the County Council declined to act on the Boat Orchard path in October 1969, but that letter is not among the scans 06/01.

The dispute moved from the footpath to the riverside land below Fisher's garden. In December 1970 Fisher took out a High Court writ in the Chancery Division against the Parish Council for slander of title. He claimed substantial damages and £1,000 costs. He alleged that the council had encouraged villagers to cross his back lawn and “persisted in maintaining that a public footpath crossed his garden despite documentary evidence which shows the route passing closer to the river bank” 06/23. The council's solicitors refused to accept the writ, and the clerk, Mr Passmore, gave notice of his resignation.

In February 1971 the Evening Journal gave both sides 06/24. Fisher said that for about twelve months the council had been telling villagers that he did not own a small piece of land near the river, close to the footpath. “Throughout the whole of last Summer we had trespassers on the land, and even people picnicking.” On one occasion, he said, he had been struck on the head with an oar

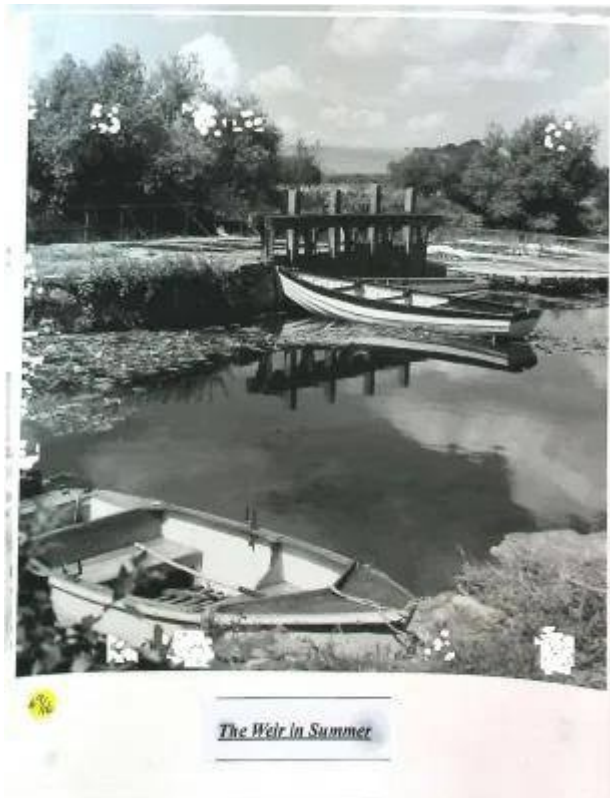
by a trespassing fisherman, and the police had been called. He alleged a personal vendetta by Mrs Gray, who had opposed the house and come to inspect the building work. Mrs Gray replied:

Personalities have nothing to do with it. But the parish council has to stand up for the rights of the villagers. We are not standing firm out of cussedness. This land, together with the adjoining footpath, is an integral part of village life, and was once used by people for mooring their boats. A fence has been put around the land and people warned off. Although Mr. Fisher has maintained a footpath across his land, it is not, we think, in the right place.

Mrs Gilda Gray, Evening Journal, 4 February 1971 06/24

She said the council was asking the County Council to hold a public inquiry into the path. Fisher said he would accept an inquiry on the footpath, but that over the land "the parish council had no power to interfere" 06/24. The archive does not say how the writ ended or whether an inquiry was held.

The argument then moved downstream to the mill. Welford Mill had been worked by H. Hawkins until 1958 and was sold for conversion into a house in 1973 04/01-14. In August 1972 Fisher, now writing from Weir House, Boat Lane, answered a Mr Roberts in the Herald who had evidently asked for public access to the weir. Fisher wrote that there was no public footpath to the weir on the current Definitive Map. The Parish Council had never used the footpath reviews to secure one while the mill was derelict. Now that the County had approved the mill's conversion to a private house, any request for a path through it "would be unlikely to be confirmed". He predicted that the council would wait for the new owner to tidy the site and "then will presumably attempt to lay claim to a fictitious public footpath". He ended: "It is far better to accept progress and mind your own business" 06/11.



"The Weir in Summer". An undated photograph of the backwater by the weir, with moored rowing boats and the timber structure of the weir behind. The way to this spot was the heart of the disputes of 1972 and 1977. 49/16

Five years later Fisher's prediction came half true. On 13 August 1977 (the year in the note is probably 1977) the Herald reported a "new turn in Welford path dispute" 12/05. Brian Eccles, the owner of the Old Mill, had built a wall across the path to the bridge, weir and eel traps, and put up a sign denying that a right of way existed. Villagers were "now completely cut off from the river" and had to go round to Cress Hill, where the parish owned a field, to reach the water. Eccles believed the weir, bridge and eel traps were unsafe. But "right of access was included in the mill's conditions of sale and villagers are determined to get the access opened again". The County Council had given him a month to remove the notice and the obstruction, failing which it would recommend proceedings under the Highways Act 1959 12/05.

From
Stratford Herald
Aug. 13th 1977
(Envelope 15)

New turn in Welford path dispute

12/05

LANDOWNER Brian Eccles has been given a month to remove a notice and an obstruction barring public access to a bridge and weir across the Avon at Welford.

If he fails to do so, parish councillors learned last week, the county council will recommend proceedings against him under the 1959 Highways Act.

A wall built beside Mr Eccles' property at the Old Mill has infuriated villagers, now completely cut off from the river.

He believes the weir, bridge and culverts to which the path lead are unsafe. Now they have to go to Cress Hill—where the parish owns a field—to get down to the river.

Final straw for the villagers came when Mr Eccles built a wall across the path and put up a sign denying that a right-of-way existed.

But right of access was included in the mill's conditions of sale and villagers are determined to get the access opened again.

Mr Eccles was unavailable for comment.

"New turn in Welford path dispute". The Stratford Herald cutting of August 1977, with the Society's archive label. 12/05

The outcome is not in the archive. The County's warning implies that it treated the way as a highway, whatever the Definitive Map showed. Later evidence suggests that a riverside route past the mill did survive. In 1989 Hildred described SD 26 running "alongside the barbed wire fence downstream from the Mill House" 05/13. In 1992 the Conservation Area study said that access to the riverside beyond the mill was "by way of the footpath which veers southwards across a caravan park, taking a rather tortuous route" 15/08.

The Boat Orchard and mill disputes show how far the arguments had moved since the 1890s. When James Carr obstructed Boat Lane in 1895, the council wrote him a letter and he took the obstruction away. Seventy-five years later the same few hundred yards of riverside produced a High Court writ, a newspaper war, a County warning and a wall. The difference was partly the law, which now set a map against memory. It was also the value of riverside land, and the number of people who now wanted to walk by the river for pleasure.

Diversions, closures and a new footway 1960s–1980s

Not every change came through a dispute. Paths could be legally diverted, and the archive records several. The 1968 schedule notes the Hunt Hall Farm diversion of SD 32, "currently being advertised", which took the path south from the Barton Road "through orchard for 380 yds, turning westwards for 200 yds, crossing Hunt Hall Lane, etc. to diversion now being dealt with" 12/03. The schedule's own text stops there in a row of dots.

Another diversion is remembered only in passing. At the Society's quiz evening in January 1974 a panel member said that "Miss Wedgwood bought Pear Tree close & diverted the footpath. As a pacifist she refused to pay taxes & so her goods were distrained" 37/01–04. Pear Tree Close lay on the award's path from the lower end of Welford to Weston, and on the 1968 line of the bridle road and the flood path. The 1972 quiz noted that the house called Pear Tree Close "is built in three sections originally for the Wedgwood family" 24/01. Neither note gives a date for the diversion.

In 1983 the Weston paths were threatened again. At a Society meeting that autumn Mrs Judy Roberts reported that she had written, on behalf of the Society, "complaining about the proposed closure of the footpath to Weston" 37/01–04. The minute does not

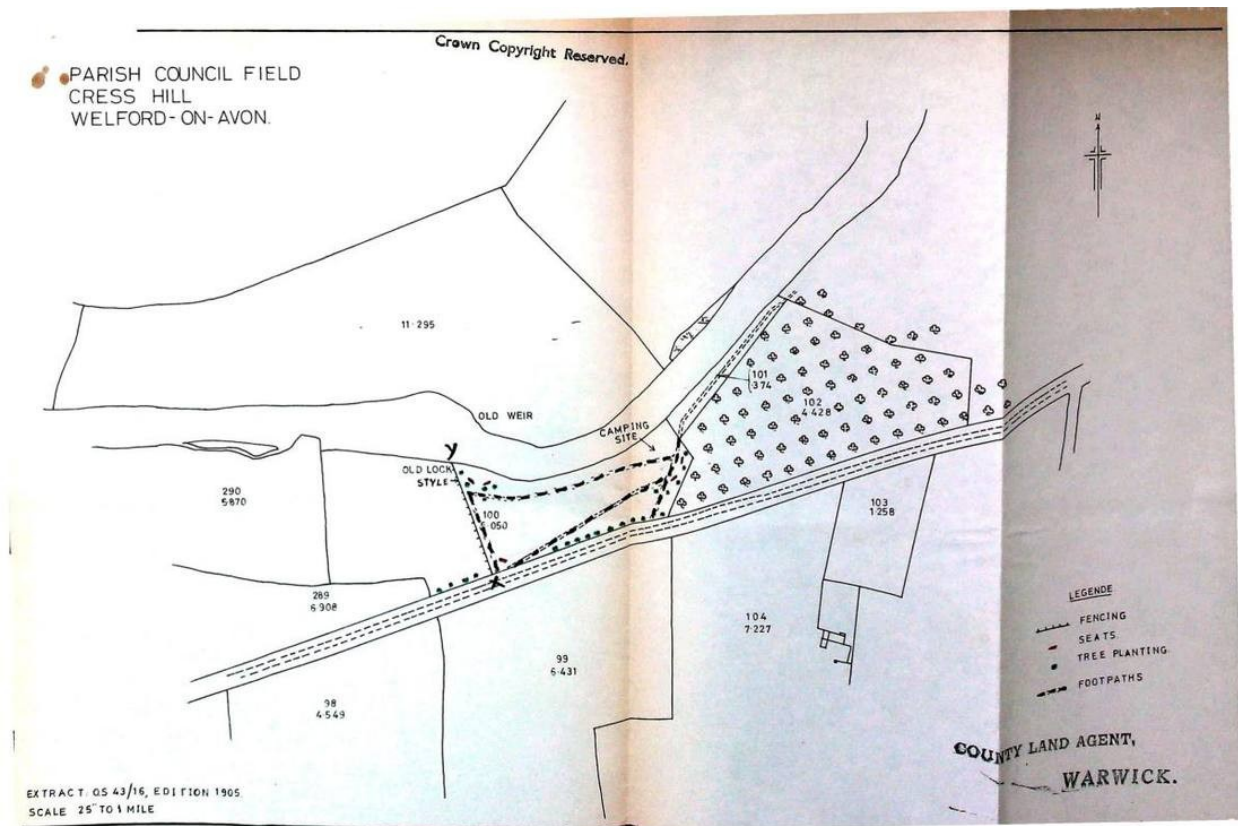
say which path or who proposed closing it. Hildred's report of 1989 says that "the footpaths leading to Weston on Avon have suffered but seem to be under control these days" 05/13, which suggests they survived.

At Binton Bridges walkers finally got their own way across the river. The Parish Council had discussed a wooden footway there as early as 1908 18/14. When the toll gate stood at the bridge, before 1893, there had been a locked wooden gate for vehicles and "a smaller one for pedestrians" 07/01-11. In 1980 the County widened and strengthened the north end of the bridge at a cost of £25,000, and "a footpath has been constructed for pedestrians" 07/01-11, 52/09. A newspaper report of the time said that the County planned to put a footpath along the whole bridge, but only the first section could be done at once. The rest depended on future funds 01/38-46. A later County scheme, opposed by the District Council, was justified partly as a way to "improve pedestrian safety" 01/38-46.

The river path and the ramblers 1970s-1990s

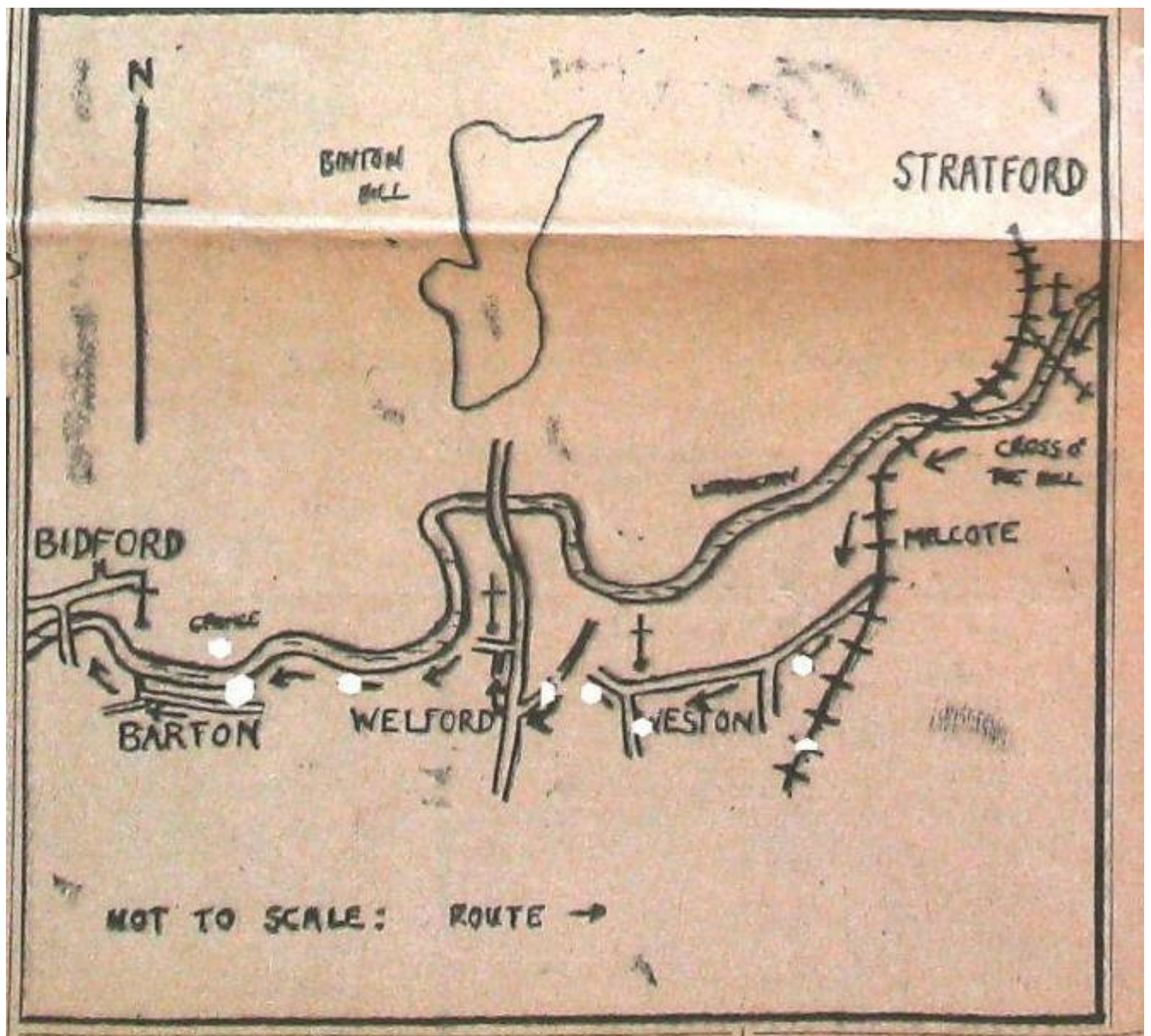
The reopening of the Upper Avon to boats in the early 1970s brought the river back into the planners' minds. A Warwickshire County Council draft Upper Avon Policy Plan of March 1972 expected "a surge of interest in the river and its environs". It suggested a lay-by at the high point on the Barton road, where motorists already stopped for the view, and said that sites should be laid out "to encourage people to leave their cars and use the river bank merely for walking, sitting and picnicking" 06/18.

The Parish Council's own field at Cress Hill was part of that picture. In February 1972 C. G. Birt, the County Land Agent, reported on how it could be used. He proposed opening up the paths and cutting back the thorn to make rides, cutting earth steps down to the old lock "for a circular walk", and putting up a post-and-rail fence "to act as a hand rail for the footpath". A stile or kissing gate would give safe access to the western part of the field. His plan shows the footpaths as a loop from the road entrance down to the old lock and weir 06/12.



Parish Council Field, Cress Hill. The County Land Agent's plan of 1972, drawn on the 1905 Ordnance Survey. The heavy dashed lines are the proposed footpaths, looping down from the road to the old lock, where a stile is marked at its corner. 06/12

In September 1973 a Herald writer, Esmonde Wylde, walked the whole south-bank route from Stratford to Bidford, ten miles, and described it for the paper's readers 13/27. His account is the fullest description of the Welford paths as a walker found them in the 1970s. Beyond Weston church he turned right by the first thatched cottage to a railed walk above the Avon and to "a house called Witches Gate, through the grounds of which is a right of way". In Welford, "beyond these cottages, an enclosed footpath leads to a lane facing caravans spaced out on a grass lawn". He hesitated, "fearing that I might be trespassing", until a resident reassured him that a right of way crossed the lower part of the lawn. Then came "a shady walk ... through trees and bushes, with open stretches", with the church tower in sight for a long time. Facing Bidford Grange and West Hillborough, a wide plank bridge took him over Noleham Brook, and a leafy lane led out to the Barton road, where he passed flood-level indicators recording a highest water level of 2 feet 6 inches 13/27.



“Not to scale: route”. The hand-drawn map that went with Esmonde Wylde's walk from Stratford to Bidford, published in the Stratford Herald, probably on 4 January 1974. The route follows the south bank through Milcote, Weston and Welford to Barton. 13/27

The Local History Society came to the paths through conservation. In early 1981 Mrs Judy Roberts proposed that the Society should take a more active part, and listed “housing developments, footpaths, trees, etc.” among the things that needed watching. A conservation sub-committee was set up, affiliated to the Council for the Protection of Rural England 37/01-04. At its first meeting only two members came. They “discussed routes & upkeep of some of the Welford footpaths”, and learned that “the appropriate authority was the District Council, not the Parish C.”, and that more help could be had from the Ramblers' Association. The discussion turned to Ordnance Survey maps, and Miss Ray was asked to price a set of 1:2,500 sheets of the parish for members to study 37/01-04. Later

that year Mr Organ, a parish councillor, showed members the latest map of the conservation areas, "showing 67 listed buildings, public footpaths etc." 37/01-04.

The Ramblers' Association came to Welford in person. Don Hildred of Church Lane, chairman of the Stratford-on-Avon Ramblers, gave the Society a talk on "Local Footpaths" after its annual meeting in March 1986. The minutes record that he "explained that footpaths were very important and you can trace them back through the ages". He showed how their lines could be followed on maps, "although, of course, they are broken by roads nowadays". Old routes had been marked by stones. Devon and the Cotswolds were well signposted, but Warwickshire "was not a very good county and we should complain if we felt that a footpath was not signed or cleared enough". Welford, he said, "is now much better, the paths are now walkable although still not sign posted very well". He had slides of the Welford paths, "including the river path to Bidford via the Pilgrim Locks at Barton" 37/01-04.

Three years later Hildred put his knowledge into a report for the Parish Council, dated 30 May 1989 05/13. It is the most detailed account of the paths' condition in the archive. He found them "not in too bad a condition", and noted that the Parish Council kept up some maintenance. The riverside path SD 26 was overgrown with willow downstream of the Mill House, and beyond the first stile "the bank is steep and needs some terracing and revetment work", as did the section approaching Cress Hill. Both were "substandard and dangerous in any damp part of the year". The District Council had spent money on the Stratford to Marlcliff route under the River Avon recreational plan, and should be reminded of this stretch.

His sharpest words were for SD 28, from Chapel Street to the Milcote road:

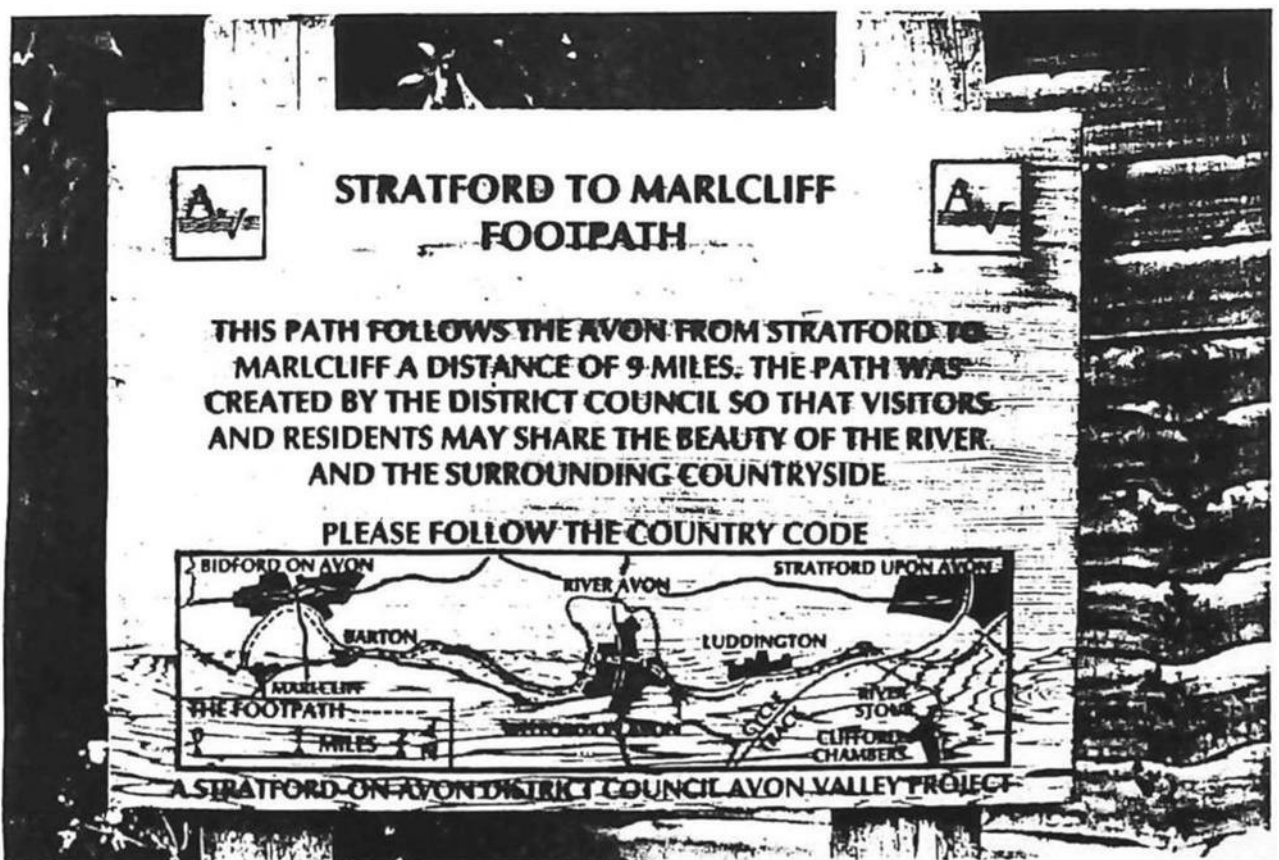
The worst footpath example by far is SD 28 which leads from Chapel Street to the Milcote Road. The arable sections are continuously ploughed without restitution of the track, and then are further obstructed by growing crops.

D. W. Hildred, report to Welford-on-Avon Parish Council, May 1989 05/13

The first section was a headland track behind a cottage, which "should never be ploughed up". The last part ran diagonally across a field that was "regularly ploughed but never restored at all, let alone in the 14 days required by the Highways Act". He named the

farmers he thought responsible and urged the Parish Council to act or to refer the matter to the County. The path "could be a pleasant little short cut for local walks, but for many years now has been rendered unpleasant by antisocial and unlawful behaviour" 05/13. It was the same path through Pool Close that the Parish Council had worried about in 1912.

The Conservation Area study of 1992 gave the footpaths a place in the village's character. "The footpaths that traverse the conservation area and riversides are important," it said; "they provide attractive pedestrian links within the village, most are flanked by old diverse hedgerows with interesting ground flora." Where old hedges flanked the paths, they should be kept. The native hedgerows along the paths were listed among the village's wildlife habitats. The western edge of the conservation area along the High Street was drawn "to follow the line of the footpath" so as to protect the setting of the High Street buildings. River access, the study concluded, was "awkward on the west side and non-existent on the east", and better links between paths and river "would greatly enhance the amenities of the village" 15/08. On the edge of the parish the study photographed a District Council sign:



The Stratford to Marlcliff Footpath. "This path follows the Avon from Stratford to Marlcliff a distance of 9 miles. The path was created by the District Council so that visitors and residents

may share the beauty of the river and the surrounding countryside.” The sign's map runs through Luddington, Welford, Barton and Bidford. It was a Stratford-on-Avon District Council Avon Valley Project. 15/08

The sign's wording is worth reading closely. The path was “created”, not discovered. Along much of the Avon there had never been a continuous public path. Welford's riverside footpath had been one piece of a longer line, and now the District Council had joined up the pieces for walkers. What Hildred had proposed for the old towing line past the Four Alls was the same kind of creation.

Into the new century 1999–2012

In September 1999 the Society heard Allan Brookes on “Rights of Way”. He traced them from the Highway Act of 1555, through the Roman roads and the turnpikes, to the trunk roads and motorways, and concluded that while the motor roads had come and gone, “the Rights of Way on foot & Bridle ways continued” 38/01–03. The talk had been suggested by Peter Deakin, who thought “Historical paths and Rights of Way” would interest members 38/01–03.

The minute books of the next few years show the Society checking the paths itself. In 2000 members felt the paths round the village “were unkept”, and Mr Deakin undertook to speak to Mr Robbie Robinson of the Parish Council. By November he reported that they “had been attended to”. In January 2001 Miss Skinner asked whether the local footpaths had been repaired. Some had, Mr Deakin said, but because of the bad weather they would be looked at regularly 38/01–03. Then came foot and mouth disease. In spring 2001 “the Foot and Mouth restrictions were in place”, and the footpaths “were not being walked at present”. Miss Skinner was still concerned about them, and the Society agreed to keep checking 38/01–03. At the same meeting Mrs Hale reported that Stratford Council was to publish ten heritage walk leaflets, one of them for Welford, with maps and points of interest. The Society decided not to duplicate the work 38/01–03.

That is where the archive's record of the paths largely ends. The parish's Diamond Jubilee programme of 2012 mentions walks along the footpaths north of the river to Bidford and back on the south side 53/43, a small sign that the river paths had become a natural thing for the village to do on a holiday.

What the paths remember

Welford's rights of way are older than any document about them. The fords at Binton Bridges and by the mill, the tracks across the marshy ground and the Saxon "here-peth" are guesses and traditions, but the paths that grew out of them were real enough for the enclosure commissioners to write them down in about 1801. That award is the hinge of the story. It fixed fifteen footpaths and a bridle road "for ever" and stopped every other way. For the next century and a half it was the parish's book of reference, quoted by the Parish Council to James Carr in 1897, copied out by Woodward in 1938, and used to argue both for and against a towpath in 1941.

"For ever" turned out to mean as long as people kept walking. By 1938 the long paths across the arable land to Long Marston and Great Dorsington, and part of the footroad to Barton, had gone. They were not stopped by any order. They simply stopped being used and were ploughed out. The paths that survived were the ones that took people somewhere they still wanted to go: to Weston, to the church, to Binton Bridges, along the river. The Definitive Map of 1961 froze that pattern. The parish's review of 1968-69 tried to correct its mistakes and give the paths back their own names.

The disputes changed character over time. In the 1890s they were about a cart left in a lane, rubbish on a path or a broken stile. By the 1970s they were about whether a riverside garden, a weir and a mill could be private. The villagers of 1969 who affirmed "without any dissenting vote" that the Boat Orchard path had been used "for generations" were making the same kind of claim as the commissioners of 1801, who described each path as "the usual footpath". In both cases use was the evidence. The difference was that by 1969 use had to be proved against a map.

The paths have also changed purpose. They began as the way to work, to church and to the next village. By 1906 they were a pleasure for visitors like Garrett. By 1989 they were a matter for the Ramblers' Association and the District Council's recreational plans, and by 2001 they were something the Local History Society walked and checked. Through all of it the same few names come back: Stony Stile Lane, Crab Mill Lane, Keytes Lane, Pool Close, Abraham's Bank, the Boat Orchard. They are some of the oldest names in the village still in daily use, and they mark lines that people have walked for more than two hundred years.

Gaps and conflicting sources

WHAT THE ARCHIVE DOES NOT HOLD

- No medieval or early modern record of Welford's paths. The “here-peth” charter reference rests on a single note of Mr Holman's opinion 10/28, and the charter is not identified.
- No tithe map, and no copy of the 1762 Levett estate map among the scans, though the Society's catalogue says it has one 02/01–12.
- The highway surveyors' accounts of 1726–38 are at the Gloucestershire Record Office and are known here only from a catalogue 02/01–12. The 1809–20 papers on Welford roads and the Surveyor of Highways' return of 1837 are listed at the Shakespeare Birthplace Trust 06/20 but not copied.
- The Parish Council's own rights-of-way file, “including maps and schedules of public footpaths”, from 1951, is at Warwick, CR3640/1/3 50/41. It would almost certainly answer the open questions about the 1969 review and the Boat Orchard and mill disputes.
- Woodward's 1938 map is missing; only his schedule survives 18/15. His note on the District Council inquiry into the Barton path breaks off mid-sentence.
- The County's reply of October 1969 on the Boat Orchard path (06/25) is referred to in the archive's notes but is not among the scans.
- The outcome of Fisher's writ, of the requested public inquiry, and of the 1977 Eccles enforcement are all unrecorded here, as is the fate of the 1968–69 renumbering and the 1983 proposal to close a path to Weston.

CONFLICTS AND UNCERTAIN READINGS

- **Date of the award.** The Act was passed in 1800 06/20. One typed abstract has a pencilled “1801” 47/98, another's cover says 1802 01/70, a glebe terrier of 1807 says the enclosure was “in 1800”, and Woodward wrote of “the parish awards of 1800” 20/01. This essay says “about 1801”.
- **Kaylis or Keytes.** The notebook copy reads the start of the Binton Bridges path as “Kaylis[?] Lane” 20/04. The typed abstract plainly reads “Keytes Lane” 01/70, and Woodward wrote “Keyte Lane” 18/15.
- **Twitchwood or Jwitchwood.** The notebook copy's “Jwitchwood[?] Lane” 20/04 is read as “Twitchwood Lane” in Woodward's schedule 18/15.
- **The Liny or the Limey.** The Cider Mill account reads “The Liny [?]” 10/01–08. The 1968 schedule reads “The Limey” 12/03.
- **Date of the Eccles report.** The handwritten date is 13 August 1977, but the second 7 is loosely written 12/05.
- **The 1968 schedule.** It is headed “1968” in pencil and bound into the 1961 Statement 12/03. Its link to the 1969 letter 06/01 is inferred from the letter's description, not stated.
- **Colours on the Definitive Map.** The regulations required footpaths in purple and bridleways in green 12/03, but the Society's hand-coloured copies show both in green 12/04.
- **The sketch map of the Barton footroad** 47/99 is undated and unsigned. Its link to Woodward is a suggestion only.

MAIN SOURCES

- 01/70, 47/98 — typed abstracts of the Welford Parish (Inclosure) Award; 20/04 — notebook of its road, path and gravel-pit schedules.
- 18/15 — H. M. Woodward, Schedule of the Public Footpaths of Welford-on-Avon, October 1938.
- 18/13, 18/14 — Woodward's notes of the Parish Council minute books, 1894–1926; 12/09 — waywardens.
- 20/01 — Woodward's scrapbook: Stony Stile Lane, Tom Harris and John Buckland, the 1941 towpath letters.
- 12/03 — Warwickshire County Council, Statement accompanying the Definitive Map, October 1961, with the Welford review schedule of 1968; 12/04, 03/26 — extracts from the Definitive Map.
- 06/01 — Parish Council letter of 29 May 1969; 06/23, 06/24, 06/11, 12/05 — Boat Orchard and mill disputes, 1970–77.
- 47/99 — sketch map of the riverside footroad to Barton.
- 05/13 — D. W. Hildred, report on wildlife and footpaths, May 1989; 15/08 — Conservation Area study, 1992.
- 37/01–04, 38/01–03 — Local History Society minute books, 1969–2003.
- 10/26, 10/28, 09/06, 01/35, 24/01 — fords, early tracks and village memory; 11/33, 15/04 — J. H. Garrett, *The Idyllic Avon*, 1906; 13/27 — Esmonde Wylde, "From Stratford to Bidford", 1973–74.
- 06/12, 06/18 — Cress Hill and the Upper Avon Policy Plan, 1972; 07/01–11, 01/38–46, 52/09 — Binton Bridges.