



# Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL  
RIGHTS OF WAY SUB-COMMITTEE  
25 June 2019

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## REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY

### ALLEGED BYWAY OPEN TO ALL TRAFFIC No 48 PARISH OF EGLINGHAM

Report of the Executive Director of Local Services  
Cabinet Member: Councillor Glen Sanderson, Environment and Local Services

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#### **Purpose of report**

In this report, the North Northumberland Local Area Council Rights of Way Sub-Committee is asked to consider all the relevant evidence gathered in support and in rebuttal of the existence of public vehicular rights over the U3118 road, between the B6346 road at Shipley Lodge and Shipley Farm.

#### **Recommendation**

**It is recommended that the sub-committee agrees that:**

- (i) there is sufficient evidence to show, on a balance of probability, that public vehicular rights exist over the B-C-E part of the route;**
- (ii) there is sufficient evidence to indicate that public vehicular rights have been reasonably alleged to exist over the E-F part of the route;**
- (iii) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorized vehicular rights over the route B-C-E-F;**
- (iv) there is not sufficient evidence to indicate that public vehicular (or any other) rights have been reasonably alleged to exist over the C-D part of the route;**
- (v) the route B-C-E-F be included in a future Definitive Map Modification Order as a byway open to all traffic.**

## 1.0 BACKGROUND

1.1 By virtue of section 53 of the Wildlife and Countryside Act, 1981 the County Council is required to keep the Definitive Map and Statement under continuous review and make modification orders upon the discovery of evidence, which shows that the map and statement need to be modified.

1.2 The relevant statutory provision which applies to adding a public right of way to the Definitive Map and Statement, based on historical documentary evidence, is Section 53(3)(c)(i) of the Wildlife and Countryside Act, 1981. This requires the County Council (as Surveying Authority) to modify the Definitive Map and Statement following:

“the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows:

“that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic;”

1.3 Alternatively, in a case where the route is already shown on the Definitive Map as a highway of a lesser status than Section 53(3)(c)(ii) covers situations where:

“the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows:

“that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description;”

1.4 All the relevant statutory provisions and competing rights and interests have been considered in making this report. The recommendations are in accordance with the law and proportionate, having regard to individuals' rights and the public interest.

1.5 When this route was consulted upon, in February 2018, the route that was identified (B-C-D) was the one that was shown on the Council's List of Streets as at May 2006 (this date is significant bearing in mind section section 67 of the Natural Environment and Rural Communities Act 2006 (see paragraph 8.15 of this report, and also paragraph 1.6 below). It subsequently transpired that the route identified at that time was incorrect - the List of Streets has now been amended to correct that error.

1.6 On 18 July 2017, in the High Court, Mr Justice Holman delivered judgement in a case brought by the Trail Riders' Fellowship, against a decision made by an Inspector appointed by the Secretary of State for the Environment, Food and Rural Affairs. The Inspector's decision related to a Definitive Map Modification Order made by Hertfordshire County Council. The Inspector had determined that public motor vehicular rights had been extinguished over a 110 metre long section of a vehicular highway, on the basis that (on 2 May 2006) this section was incorrectly mapped on the Council's List of Streets meaning that this

section should be recorded on the Definitive Map as restricted byway. The discrepancy between the wrongly recorded alignment and correct alignment was 30 metres. This would have left a relatively short section of restricted byway sandwiched between two byways open to all traffic. As with this route in Northumberland, the discrepancy was due to a drafting error. In his judgement, Justice Holman found that the List of Streets did not require an accompanying map, and routes identified on the List did not need to be mapped with the same degree of accuracy as routes on the Definitive Map of Public Rights of Way. The discrepancy was clearly due to error. Parliament could not have intended that such a set of circumstances would lead to the extinguishment of public motor vehicular rights. Accordingly, he quashed the Inspector's decision.

## **2.0 PUBLIC EVIDENCE**

- 2.1 In the late 1980s the County Council carried out consultations regarding proposals to add a number of unsealed tracks in the north of the County to the Definitive Map as byways open to all traffic on the basis that the routes were included in the County Council's "List of Streets" as unclassified County roads (UCR). The rationale for doing so was that it would not be obvious to members of the public (particularly horse riders, walkers and cyclists) that they were legally entitled to use routes such as these (which were considered to have vehicular status), because their physical appearance might suggest otherwise.
- 2.2 The view, held by those officers of the Council responsible for maintaining the 'List of Streets' for the County of Northumberland was (and still is) that only public roads (not public bridleways or public footpaths) were shown on this List. The only exceptions to this are the surfaced paths and alleyways providing pedestrian links between roads, in urban streets. Thus, tracks in rural settings, which have their own unique reference numbers (e.g. the 'U3118' road), were considered to be all-purpose public highways maintainable at public expense.
- 2.3 Shortly afterwards, the processing of applications from third parties seeking to record public footpath or public bridleway rights was afforded a higher priority. Later on, the process of recording UCRs as byways open to all traffic was effectively suspended because the Ordnance Survey indicated that they would be showing such routes on their published maps as being an "Other route with public access". Although, on that basis, members of the public would still be unclear as to precisely what rights they had over routes identified in this fashion.
- 2.4 The most recent advice from DEFRA (paragraph 4.42, Rights of Way Circular 1/09) is that inclusion on the List of Streets may provide evidence of vehicular rights but that this should be examined on a case by case basis. In view of this advice, it is considered prudent to evaluate the status of the U3118 unclassified County road based upon more than simply its inclusion in the List of Streets.

### **3. LANDOWNER EVIDENCE**

- 3.1 By letter, dated 31 May 2018, the Northumberland Estates responded to the omnibus consultation stating:

“Thank you for your letter of the 9th February 2018 which requested information to either support or object to proposed modifications to the definitive map.

“The Estates comments are as follows:

“Parish of Eglington Byway Open to All Traffic No 48 Plan 29

“Route 48(23) is an NCC adopted Highway  
Point C to D we do not believe is a Byway Open to All Traffic - this provides no access beyond the front door of a Farmhouse and does not create an improved footpath network. The Estate believes the application is inappropriate and the adoptive status of the road should remain unchanged.”

- 3.2 By note, received on 9 July 2018, Ms K Robertson of Stamford Farm responded to the consultation (and a telephone conversation I had with her in February 2018) stating:

“Wrong drive as discussed on the phone in March 2018.

Ms Robertson also returned a copy of the consultation plan with the ‘wrong drive’ section of road (between points C and D) circled.

- 3.3 By email on 7 December 2018, Ms K Robertson of Stamford Farm replied to my February 2018 email follow-up to our telephone conversation stating:

“I have just seen this email - we had problems with the computer and had to get a replacement - The map you show below is our recollection of the events too. I am grateful that you will be looking to amend the section C -D Section to reflect the the map below. My understanding of this new red C-D section below is that the road is maintained by the highways on the red shaded part. There is public footpath turns opposite the old blacksmith shop so most of the public would turn at that point towards the burn as the footpath has somewhere to go to. I am not sure if they would walk the rest of the 25 m or so and then turn back. It may be useful Mainly for the bin wagon and vehicles to turn

“Sorry about the lack of response to this before.”

### **4. CONSULTATION**

- 4.1 In February 2018, the Council carried out a consultation with the Parish Council, known owners and occupiers of the land, the local County Councillor and the local representatives of the “prescribed and local organisations” listed in the Council’s “Code of Practice on Consultation for Public Path Orders”. Three replies were received and are included below.

- 4.2 By email, on 26<sup>th</sup> February 2018, Ms H Evans responded to the consultation, on behalf of the Cycling UK, stating:

“Ted has now looked at these and come back to me with the attached and also the comment that “Most are standard changes to confirm existing BOATs but a few are really good gains to the access network. No comment means we support and no comments are necessary.”

No comments relating specifically to Eglingham BOAT 48 were supplied.

- 4.3 By note, received on 26 March 2018, Ms S Radcliffe of 1 Shipley Hill, responded to the consultation, primarily in response to a route slightly further to the north, but also adding that:

“I am also a member of the Northumberland JLAF.” [Joint Local Access Forum]

“The other routes marked on this map B-C-D and W-X are also regularly used by vehicles and horse riders. I keep a pony at Shipley Lanes so use these routes myself.”

- 4.4 By email, on 12<sup>th</sup> May 2018, Ms S Rogers responded to the consultation, on behalf of the British Horse Society, stating:

“Eglingham parish  
Alleged byway open to all traffic 48 (Shipley Farm)  
This forms the tarmac access road to the farm. It also leads to a well used public bridleway and to a public footpath. For this reason the BHS supports its addition to the definitive map.”

## 5. DOCUMENTARY EVIDENCE

- 5.1 A search has been made of archives relating to the area. Evidence of Quarter Sessions Records, Council Highways records, County Maps and O.S. Maps was inspected, and the following copies are enclosed for consideration.

### 1769 Armstrong's County Map

There is no evidence of a road or track approximating to the route of alleged Byway No 48.

### 1820 Fryer's County Map

Other than in the immediate vicinity of Shipley, there is no evidence of a road or track approximating to the route of alleged Byway No 48. The modern road layout, north of Shipley, is significantly different from the road layout in the 1820s. The “Shipley” south of “Shipley Hill” appears to be the “Old Shipley” on modern maps.

### 1827 Cary's Map

Other than in the immediate vicinity of Shipley, there is no evidence of a road or track approximating to the route of alleged Byway No 48. The

modern road layout, north of Shipley, is significantly different from the road layout in the 1820s. The "Shipley" south of "Shipley Hill" appears to be the "Old Shipley" on modern maps.

1828 Greenwood's County Map

There is clear evidence of a road or track approximating to the route of alleged Byway No 48 (to Shipley Stead).

1841 Shipley Tithe Award Map

There is clear evidence of an unenclosed road or track approximating to the route of alleged Byway No 48.

c.1860 Ordnance Survey Map: Scale 1:2500

There is clear evidence of an unenclosed road or track approximating to the route of alleged Byway No 48. The road does not have a unique parcel number - it is identified along with the fields it passes through. The majority of the route is covered by the parcel numbers "122", "134" and "135". In the accompanying Book of Reference, parcel numbers 122, 134 and 135 are identified as "Arable & road", "Arable & roads" and "Arable & road".

1897 Ordnance Survey Map: Scale 1:2500

There is clear evidence of an unenclosed road / track over the route of alleged Byway No 48.

Finance Act 1910 plan

There is clear evidence of an unenclosed road / track over the route of alleged Byway No 48. The route is not identified as being separate from the adjacent land by coloured boundaries (though this is not unexpected given that it was not, at that time, separated by physical boundaries). If it had been, this would have been a good indication that the road was considered to be public at that time. Notwithstanding the lack of coloured boundaries, alleged Byway No 48 is annotated in red with the label "Public" as it passes through the most northerly field and in pencil with "P.C.R" - presumably "Public Cart Road" next to that. Existing Public Footpath No 22, passing diagonally through the field south of this is also labelled in red as "Public" and in pencil with "PF" - presumably "Public Footpath".

1923 Ordnance Survey Map: Scale 1:2500

There is clear evidence of a mainly enclosed road / track over the route of alleged Byway No 48.

1932 Alnwick RDC Handover Map

Although the route is identified as a track on the base map, it is not coloured so as to identify it as a publicly maintainable road.

c.1938 Restriction of Ribbon Development Act 1935 Map

Although the route is identified as a track on the base map, it is not coloured so as to identify it as a publicly maintainable road to be protected from ribbon development.

1951 Highways Map

Although the route is identified as a track on the base map, it is not coloured so as to identify it as a publicly maintainable road.

c.1952 Definitive Map – original Survey Schedules & Map

The route of alleged Byway Open to All Traffic No 48 exists as a mainly enclosed road or track on the base map. The B-C-E section (i.e. almost all of the route) is coloured green (and labelled No 8) identifying the existence of public bridleway rights. No public right of way is identified over the short E-F section at the southern end of the alleged byway route. Footpath No 9 begins on Bridleway No 8, at Shipley. Bridleway No 8 continues in a westerly direction, beyond Shipley.

Draft Map

The route of alleged Byway Open to All Traffic No 48 exists as a mainly enclosed road or track on the base map. The B-C-E section (i.e. almost all of the route) is coloured green (and labelled No 8) identifying the existence of public bridleway rights. No public right of way is identified over the short E-F section at the southern end of the alleged byway route. Footpath No 9 begins on Bridleway No 8, at Shipley. Bridleway No 8 continues in a westerly direction, beyond Shipley.

Provisional Map

The route of alleged Byway Open to All Traffic No 48 exists as a mainly enclosed road or track on the base map. The B-C-E section (i.e. almost all of the route) is coloured green (and labelled No 8) identifying the existence of public bridleway rights. No public right of way is identified over the short E-F section at the southern end of the alleged byway route. Footpath No 9 begins on Bridleway No 8, at Shipley. Bridleway No 8 continues in a westerly direction, beyond Shipley.

1957 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road or track over the route of alleged Byway No 48 between Shipley Lodge and the cottages immediately north of Shipley farm. There is evidence of an unenclosed road or track between these cottages and the farm itself.

1962 Original Definitive Map

The route of alleged Byway No 48 exists on the base map, and the majority of it is identified as a public bridleway (No 23). One public footpath (No 22) joins the alleged byway at Shipley. A pencilled annotation of the map shows the northern part of the route of alleged

Byway No 48 crossed out, as far as its junction with Footpath No 22, and labelled as being the U3118.

1964 Highways Map

Although the route is identified as a track on the base map, it is not coloured so as to identify it as a publicly maintainable road.

1965 Highway Dedication

On 23rd December 1965, William Hugonin, as Agent to the Trustees of the Duke and Duchess of Northumberland's Marriage Settlement, "dedicated to the use of the public as a highway that portion of land at Shipley Farm, Alnwick in the County of Northumberland which is coloured red hereon as from to-day's date." The route of the U3118 road, between Points B-C-E-F (i.e. alleged Byway Open to All Traffic No 48), is the land which is coloured in red.

1976/7 Ordnance Survey Map: Scale 1:10,000

There is clear evidence of an enclosed road or track over the route of alleged Byway No 48 between Shipley Lodge and the cottages immediately north of Shipley farm. There is evidence of an unenclosed road or track between these cottages and the farm itself.

2005 Ordnance Survey Explorer 332 Map: Scale 1:25,000

There is clear evidence of a mainly enclosed track over the route of alleged Byway No 48. The route (and its westerly continuation beyond Shipley) is identified as "public bridleway", in much the same way that it is presently recorded on the Definitive Map of Public Rights of Way.

2006 The Council's 'List of Streets' (2 May 2006)

The majority of the route of the alleged byway is clearly identified as publicly maintainable highway. At Shipley itself, the route is mistakenly identified over the route C-D, when the route which should have been identified was C-E-F.

- 5.2 In the Schedule of reputed Public Rights of Way prepared by Alnwick Rural District Council, under the Rights of Way Act 1932 there is one route (CR 8) identified along the route of alleged Byway No 48, and another route (FP 9) over a path which begins on this route:

"8. CR To Shipley from Wooler Road at Shipley Lodge, running in a S. direction to Shipley, then W. through field No 110a, crossing the Eglington Burn, then N.W. through field Nos 137, 130, 131, 94 to the Bolton Road near Bridge over Titlington Burn."

"9. F. From Shipley cart road No 8 running in a N.E. direction through field Nos 115, 115b, to the Denwick Parish Boundary, joining footpath No 1 in that Parish at footbridge over Shipley Burn."

- 5.3 There is no entry for the U3118 road, in the 1958 County Road Schedule.



5.4 The entry for the U3118 road, in the 1964 County Road Schedule is:

“U3118 Shipley Farm Road  
From B6346 at its junction with B6347 south-west and south to Shipley Farm.”

The length of the U3118 road is identified as 0.61 miles.

N.B. The U3118 road is clearly a later addition. It is the only entry on a page which has a typed note “New Page January 1966”).

5.5 The Council’s Bridges and Roads Committee considered this route in 1965. The minutes of the 21 June 1965 Highways Committee state:

“(6) Private Streets - Recommendations for Adoption  
Applications have been made for the adoption of the following streets:-  
Alnwick Rural District.  
Mr GE Robertson. Shipley Farm Road, off the south side of the  
Wooperton - Alnwick Road, B6346. Length 1080 yards.

The decision of the Committee (with reference to this and a number of other routes) is stated as “That the roads be taken over as highways repairable at the public expense subject to their completion to the satisfaction of the County Surveyor.”

5.6 The entry for the U3118 road, in the 1974 County Road Schedule is:

“U3118 Shipley Farm Road  
From B6346 at its junction with B6347 (NU 151178) south-west and south to Shipley Farm (NU 148170).”

The length of the U3118 road is identified as 0.61 miles.

5.7 The route of the alleged byway does not appear to be identified in the Schedule of unclassified roads identified under the provisions contained within the Restriction of Ribbon Development Act 1935.

5.8 The original Definitive Statements for the public rights of way that connect with this road state:

**Public Footpath No 22 (Parish of Eglington)**

“From BR 23 north-east of Shipley in a north-easterly direction crossing the bridge over the Shipley Burn to join FP 1 at the Denwick Parish boundary.”

**Public Bridleway No 23 (Parish of Eglington)**

“From the Alnwick - Wooperton Road at Shipley Lodge in a Southerly, south-westerly and north-westerly direction by Shipley and across the Eglington Burn by the footbridge to join the Eglington - Bolton Road south of the Bridge over the Titlington Burn.”

## **6. SITE INVESTIGATION**

- 6.1 From a point marked B, on the B6346 road, at its junction with the B6347 road immediately north of Shipley Lodge, a 2.7 metre wide tarmac road in a 6.7 to 8.2 metre wide corridor proceeds in a south-westerly direction along the U3118 road (which is also existing Public Bridleway No 23) for a distance of 90 metres, then within a 5.2 to 7 metre wide corridor for a further 100 metres and round a bend. Thereafter the road continues within a 6 metre wide corridor in a southerly direction for a distance of 355 metres, then within a 7 to 7.5 metre wide corridor for a further 275 metres to Shipley. Thereafter the road continues within a 5.8 metre wide corridor in a south-westerly direction for a distance of 35 metres, then unenclosed, in a south-westerly direction for a distance of 75 metres to a point marked E, where Bridleway No 23 and the U3118 road diverge. Alleged Byway No 48 continues, unenclosed, in a south-westerly direction along the U3118 road for a further 50 metres to end at a point marked F, at the north end of farm buildings, 50 metres north of Shipley farmhouse.
- 6.2 From a point marked C, on the U3118 road / existing Public Bridleway No 23, an initially unenclosed tarmac road proceeds in a general southerly direction for a distance of 140 metres towards Shipley farmhouse (Point D).

## **7. COMMENTS RECEIVED ON THE DRAFT REPORT**

- 7.1 In May 2019, a draft copy of the report was circulated to those landowners / occupiers who responded to the initial consultation for their comments.

## **8. DISCUSSION**

- 8.1 Section 53 (3)(c)(i) and (ii) of the Wildlife and Countryside Act 1981, requires the County Council to modify the Definitive Map when evidence is discovered which, when considered with all other relevant evidence available to them shows:

that a right of way, which is not shown in the Map and Statement, subsists or is reasonably alleged to subsist over land in the area to which the Map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or; subject to section 54A, a byway open to all traffic [s53(3)(c)(i)]; or

that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description [s53(3)(c)(ii)].

- 8.2 When considering an application / proposal for a modification order Section 32 of the Highways Act 1980 provides for “any map, plan or history of the locality or other relevant document” to be tendered in evidence and such weight to be given to it as considered justified by the circumstances, including the antiquity of the tendered document, the status of the person by whom and the purpose for which it was made or compiled, and the custody in which it has been kept and from which it is produced.

- 8.3 The representation of a path or track on an Ordnance Survey Map is not evidence that it is a public right of way. It is only indicative of its physical existence at the time of the survey.
- 8.4 The route of alleged Byway Open to All Traffic No 48 is identified on the County Council's current List of Streets as being the U3118 road. The route was not identified as being publicly maintainable on the 1932 Alnwick Rural District Council Handover Map, nor on the map and schedule of roads produced in relation to the Restriction of Ribbon Development Act 1935. The route is not identified as a publicly maintainable highway on either the Council's 1951 Highways Map or the later 1964 Highways Map. Finally, it does not appear to be included in the 1958 County Road Schedule.
- 8.5 The route was the subject of a highway dedication, by the landowner, in December 1965. It was subsequently included in an amendment (dated 1 January 1966) to the 1964 County Road Schedule, and also in the later 1974 County Road Schedule.
- 8.6 The route was identified as an unenclosed road / track on Ordnance Survey Maps in c.1860 and 1897, then consistently identified as a mainly enclosed road / track on Ordnance Survey maps since 1923. Although the route is not shown on Armstrong's or Fryer's County Maps of 1769 and 1820, or on Cary's Map of 1827, it is shown on Greenwood's County Map of 1828 and on the Shipley Tithe Award map of 1841.
- 8.7 The route was identified as a cart road in the Schedule of Reputed Public Rights of Way published by Alnwick Rural District Council under provisions contained within the Rights of Way Act 1932. The B-C-E section of the alleged Byway route was included on the Survey Map and on the Draft, Provisional and Definitive Maps (published in the 1950s and early 1960s) as part of a longer public bridleway. The same B-C-E section of the route is still, currently, recorded on the Definitive Map of Public Rights of Way as being a part of Public Bridleway No 23.
- 8.8 The County Council accepts that, given the way the regulations were written with regard to the way highway authorities could include publicly maintainable highways in the List of Streets, there was no impediment to public bridleways and public footpaths also being included. That is not to say that any bridleways or footpaths were so shown – just that they could be. It must, therefore, be entirely proper to consider each UCR on a case by case basis, but that does not mean that we should begin with the assumption that each UCR is no more than a public footpath unless higher rights can be proven by other means. In Northumberland there is no evidence to suggest that public footpaths and public bridleways were deliberately shown on the 1958, 1964 or 1974 County Road Schedules (forerunners of the modern day List of Streets). The fact that a route is shown on these schedules must, therefore, be evidence of some weight that public vehicular rights exist.
- 8.9 Letters from DEFRA, dated 2003 and November 2006, and Rights of Way Circular 1/09 set out the approach Inspectors and order making authorities should take in determining the status of routes included on the List of Streets. In summary, the guidance states that the inclusion of a route on the List of Streets is not a record of what legal rights exist over that highway but may

provide evidence of vehicular rights. However, this must be considered with all other relevant evidence in order to determine the nature and extent of those rights. Highway Authorities are recommended to examine the history of such routes and the rights that may exist over them on a case by case basis in order to determine their status.

- 8.10 As indicated previously, on 23<sup>rd</sup> December 1965, a document / plan was signed by William Hugonin stating:

“I William Hugonin, as Agent to the Trustees of the Duke and Duchess of Northumberland’s Marriage Settlement, Estates Office, Alnwick Castle, Alnwick, Northumberland do hereby declare that I have dedicated to the use of the public as a highway that portion of land at Shipley Farm, Alnwick, in the County of Northumberland which is coloured red hereon as from to-day’s date.”

- 8.11 The B-C-E-F route of alleged Byway Open to All Traffic No 48 is highlighted in red on the abovementioned plan. The width of the highway being dedicated is not given but, between Points B and C, the highlighting extends across the full width of the corridor, between boundaries and is not limited to just the width of the present day tarmac carriageway. For the unenclosed section, between Points C and E the highlighted section is narrower (though still appears wider than simply the metalled carriageway, then wider again between Points E and F.
- 8.12 Until Mr Hugonin’s highway dedication, the accepted position appears to have been that the B-C-E section was a public bridleway (part of Public Bridleway No 23), and that the E-F section had no public status.
- 8.13 Unfortunately, in the dedication document it does not specify precisely what public highway rights were being dedicated. Those highway rights need not necessarily be vehicular ones. Public footpaths and public bridleways are also “highways”. There are several reasons why it could reasonably be argued that the landowner’s actual intention was to dedicate a public vehicular highway:
- Firstly, persons unfamiliar with highway law are unlikely to be aware that public footpaths and bridleways are public highways; the term “highway” – in everyday usage – is generally used to refer to a vehicular route.
  - Secondly, given the width of the highway being dedicated (typically between 5.2 and 8.2 metres for the enclosed sections), it seems unlikely that the landowner was dedicating something less than a public vehicular right of way.
  - Thirdly, since nearly all of the route was already a recognized, publicly maintainable public bridleway, there would be no need for the landowners to dedicate public bridleway rights over this section.
- 8.14 The Natural Environment and Rural Communities Act 2006 (NERC Act 2006) had a major impact upon the recording of byways open to all traffic based upon historical documentary evidence. Under section 67 of the Act, any existing, but unrecorded, public rights of way for mechanically propelled

vehicles were extinguished unless one of the 'saving' provisions applied. In brief, these saving provisions were: (a) if the main lawful public use between 2001 and 2006 was with motor vehicles; (b) if the route was on the List of Streets (on 2 May 2006) and not also on the Definitive Map as something less than a byway open to all traffic; (c) the route was legally created expressly for motor vehicular use; (d) the route was a road deliberately constructed for public motor vehicular use; or (e) the vehicular highway came about as a result of unchallenged motor vehicular use before December 1930.

- 8.15 Of the saving provisions above, (b) will apply to the short E-F part of the route of alleged Byway No 48. The July 2017 High Court decision (see 1.6 above) ensures that the minor alignment discrepancy that existed at 2 May 2016 has no effect. The public's motor vehicular rights would not have been extinguished by the NERC Act 2006. Where, however, a route is shown on the Definitive Map as a footpath or bridleway, then the fact that it is shown on the List of Streets will not be sufficient to prevent the public's motor vehicular rights from being extinguished. This applies to the much longer B-C-E section of the route, so here it is necessary to see whether or not one of the other saving provisions might apply.
- 8.16 Under section 67(2)(c) of NERC Act 2006, the public's motor vehicular rights would not be extinguished if those rights had been created on terms that expressly provided for a right of way for mechanically propelled vehicles. As discussed in paragraphs 8.11 to 8.13 above, although it is reasonably clear that the 1965 highway dedication intended to create a public right of way for mechanically propelled vehicles, it did not do so in express terms, so this saving provision would seem unlikely to apply. The Inspector who determined Definitive Map Modification Order (No 23) 2012 (Kilham) certainly took that view.
- 8.17 Under section 67(2)(a) of NERC Act 2006, the public's motor vehicular rights would not be extinguished if they are over a way whose main lawful use by the public during the period of 5 years between 2<sup>nd</sup> May 2001 and 2<sup>nd</sup> May 2006 was with mechanically propelled vehicles. The difficulty here is that the Council has no real evidence regarding the balance of public user during this 5 year period. The road is not a through route for vehicles, though there is a public bridleway continuing in a westerly direction beyond Shipley and public a public footpath proceeding easterly from Shipley. What vehicular use it does get is likely to be the associated property holders themselves, their visitors and invitees; all people who it could be argued have a private right or permission to use the route (i.e. who might not qualify as being "the public"). For these reasons, it may be difficult to demonstrate that public motor vehicular use outweighed pedestrian (and equestrian and cycle use).
- 8.18 Under section 67(2)(e) of NERC Act 2006, the public's motor vehicular rights would not be extinguished if they are over a way that had been in long use by mechanically propelled vehicles before 1930, when it first became an offence to drive 'off-road'. There is no evidence of long-standing public motor vehicular use before 1930 in this instance.
- 8.19 Finally, under section 67(2)(d) of NERC Act 2006, the public's motor vehicular rights would not be extinguished if they are over a way that had been created by construction of a road intended to be used by MPVs. The Inspector who determined Definitive Map Modification Order (No 23) 2012 (Kilham)

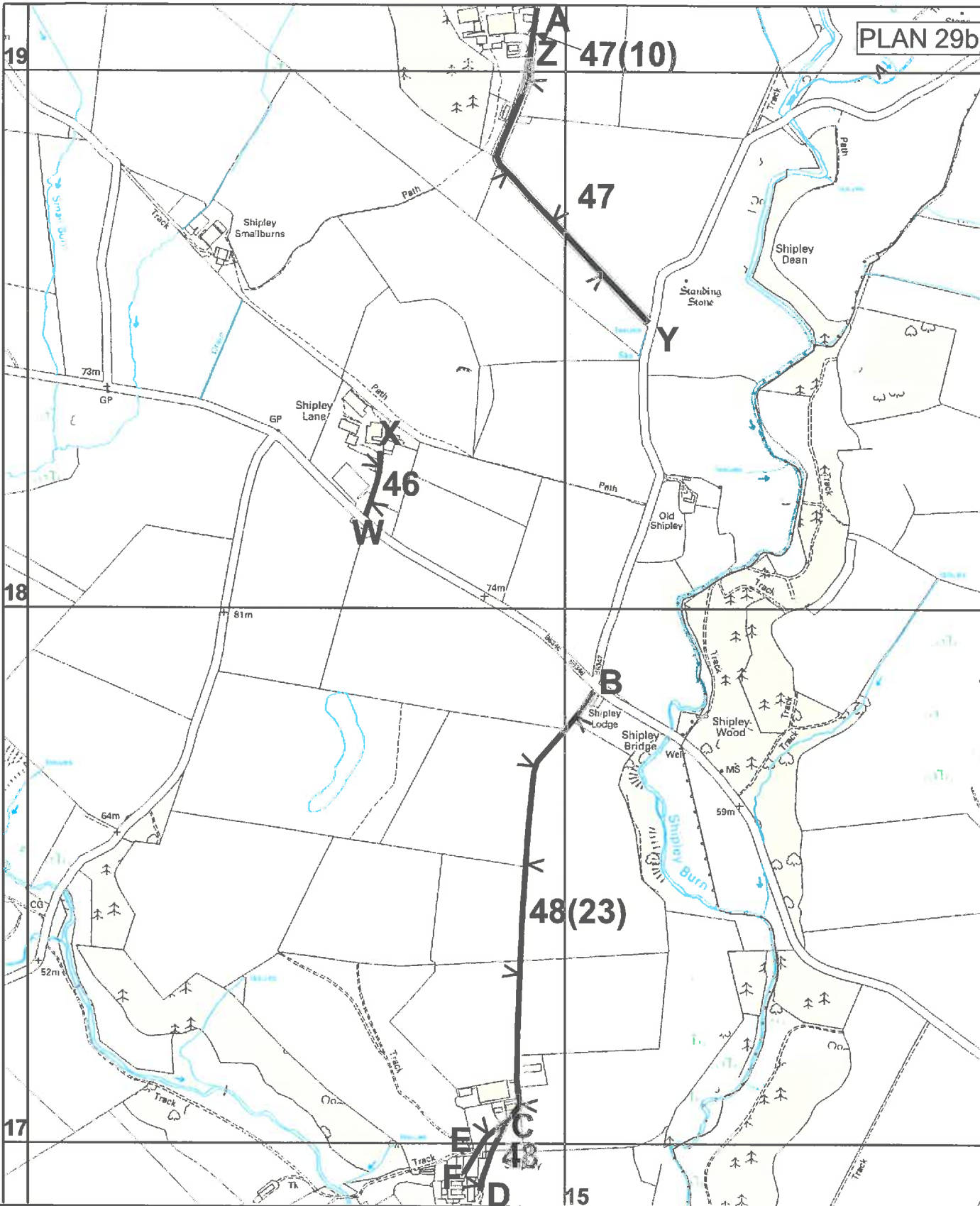
concluded that public motor vehicular rights had been 'saved' over that route (in part) by virtue of this exemption. At Kilham, there was the highway dedication by the landowner in 1968 (similar to the highway dedication of the B-C-E-F route by Mr Hugonin in 1965) supported by Council Bridges and Roads Committee minutes from 1957 stating that "subject to the road(s) being completed to the satisfaction of the County Surveyor, they be taken over as highways repairable by the inhabitants at large and that the necessary notices be signed by the Clerk of the Council and fixed up therein pursuant to Section 19 of the Private Street Works Act 1892." On that basis, the Inspector argued that because the Committee decision to accept dedication was contingent upon the road being "made up to a satisfactory standard" this meant the road (which must have been unsatisfactory at that time) was to be constructed to a standard suitable for motor vehicles and all other traffic. The minutes relating to the Shipley road are phrased in a broadly similar way as the Kilham route, suggesting that the saving provisions in section 67(2)(d) of NERCA 2006 can also be applied to the B-C-E part of alleged Byway No 48.

- 8.20 For a route to be a byway open to all traffic, it has to be (i) a public motor vehicular right of way and (ii) a route which is nevertheless used (or is likely to be used) by the public mainly for the reasons which footpaths and bridleways are used.
- 8.21 The majority of this route has a reasonable tarmac surface. From the consultation responses, the route would appear to be well used by members of the public travelling on foot or horseback (and perhaps bicycle) and less so by the general public with motor vehicles. It would be a relatively short and unexciting cul-de sac for public motor vehicles, so this is to be expected.
- 8.22 All but the most southerly 50 metres of the route of the U3118 road / alleged Byway No 48 is currently recorded on the Definitive Map of Public Rights of Way as part of a public bridleway. At present, there is no mechanism available for removing the bridleway from the Definitive Map, on the basis that higher rights have come into being. The only two options that would appear to be available to the Council are (i) to do nothing (so that the Definitive Map confusingly misrepresents the public rights which exist) or (ii) upgrade how the route is shown on the Definitive Map from public bridleway to byway open to all traffic.
- 8.23 Advice from the Planning Inspectorate in their 'consistency guidelines' states that it is important to have the correct width, where known, recorded in the definitive statement. Where no width can be determined by documentary means (such as an Inclosure Award, Highway Order or dedication document), there is usually a boundary to boundary presumption for public highways. On this basis it is proposed to record Byway Open to All Traffic No 48 with a width varying from 5.2 metres to 8.2 metres, as identified in paragraph 6.1, above, for the enclosed section. For the section not enclosed by boundaries (i.e. C-E-F) it is proposed to apply the Council's standard width of 5 metres (wide enough for two vehicles travelling in opposite directions to pass each other).

## **9. CONCLUSION**

- 9.1 In light of the documentary evidence available, it appears that public vehicular rights have been shown to exist, on a balance of probabilities, over the B-C-E





  
**Northumberland**  
 County Council

Infrastructure  
 Local Services  
 County Hall Morpeth Northumberland  
 NE61 2EF  
 Telephone 0845 600 6400

**Wildlife and Countryside Act 1981  
 Public Rights of Way**

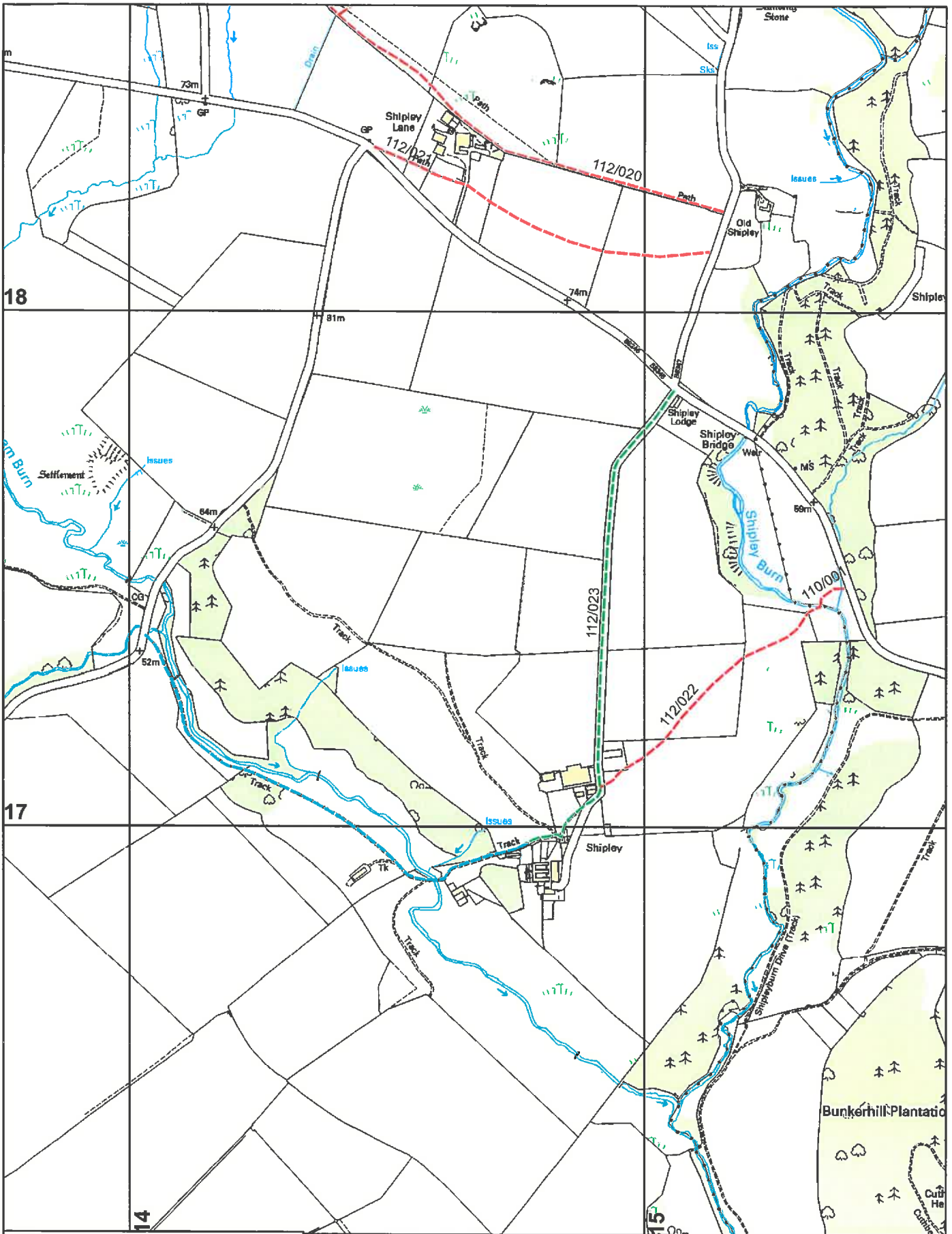


**Alleged Byway Open to All Traffic**

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Former District(s) Alnwick	Parish(es) Eglington	Scale 1:10,000
Def. Map No. 57/58	O.S. Map NU 11 NW/NE	Date May 2019





**Northumberland**  
County Council

Contact: Alex Bell  
Telephone: 01670 624133  
Email: Alex.Bell@northumberland.gov.uk

**Legend**

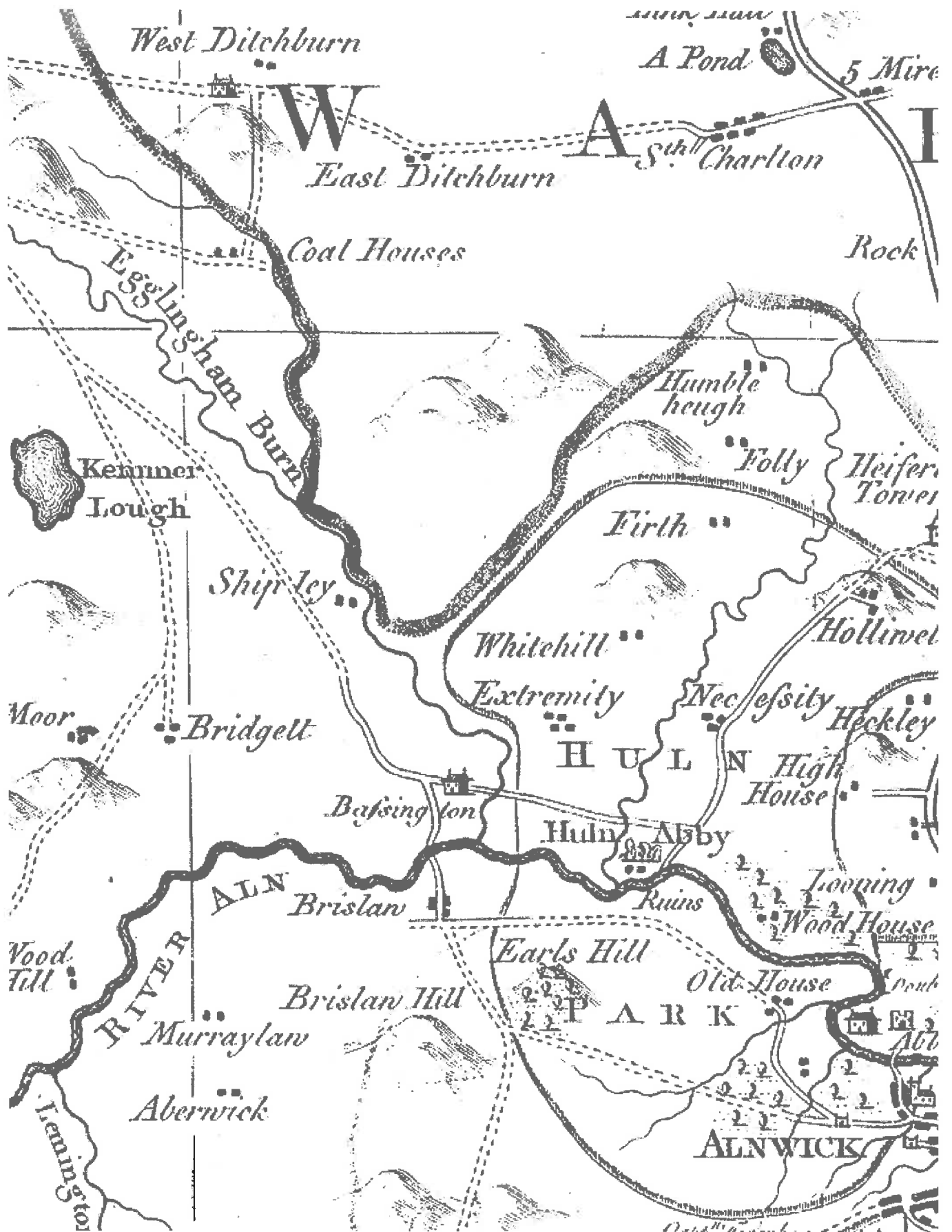
- Footpath
- Bridleway
- Restricted Byway
- Byway Open to All Traffic

This is a computer generated extract of the Working Copy of the Definitive Map of Public Rights of Way

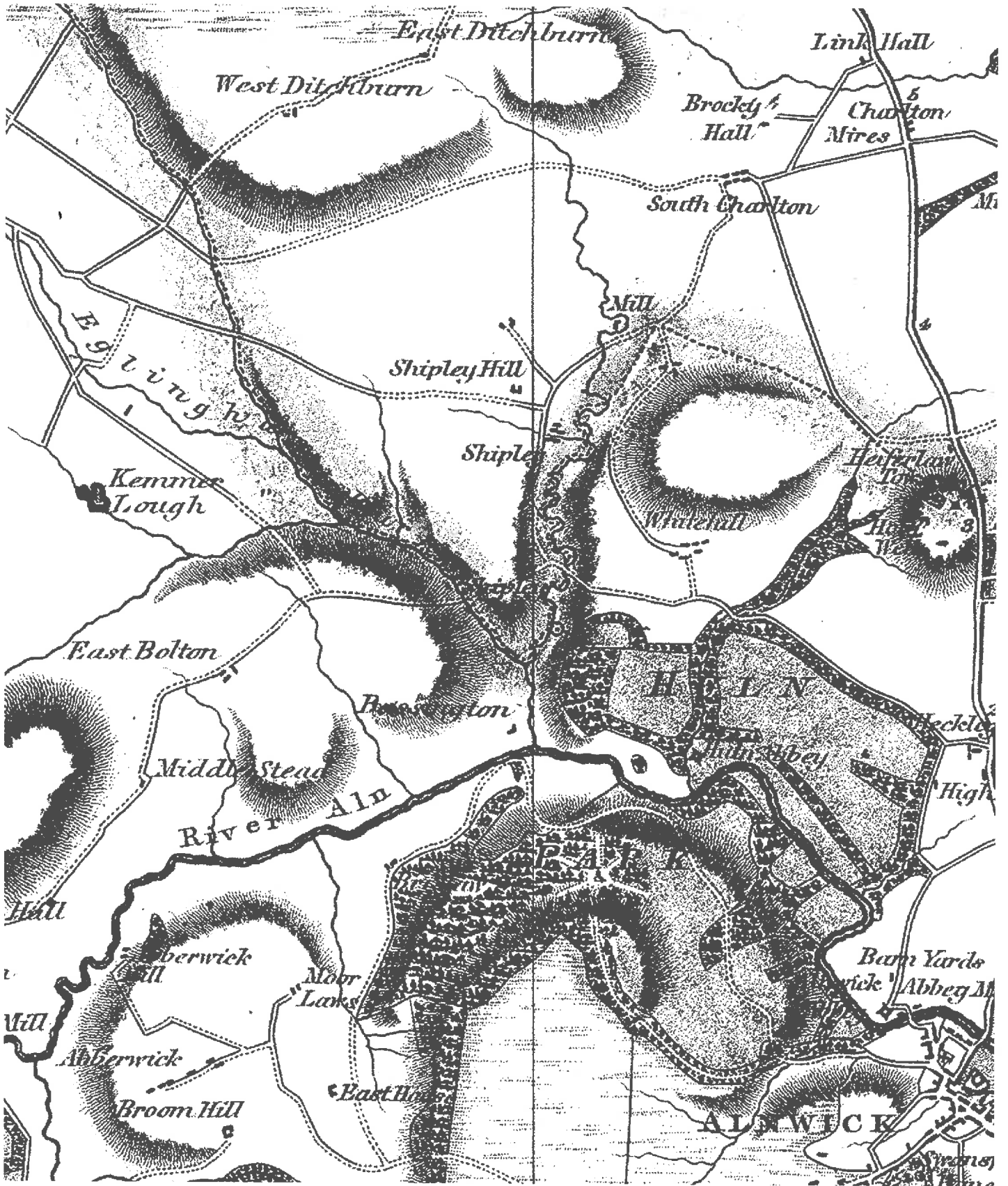
Scale: 1:10,000

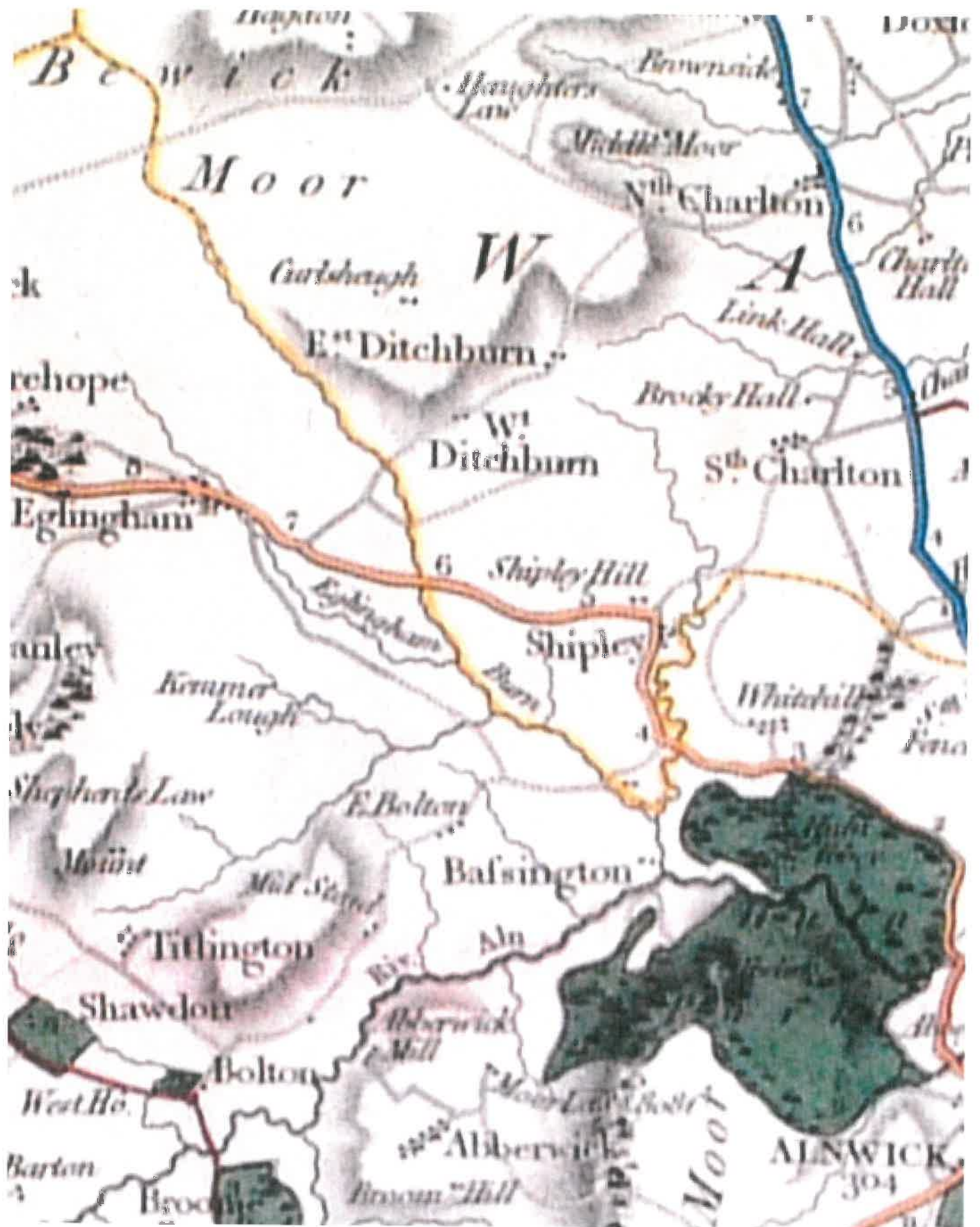
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Armstrong's County Map  
1769



Fryer's County Map  
1820





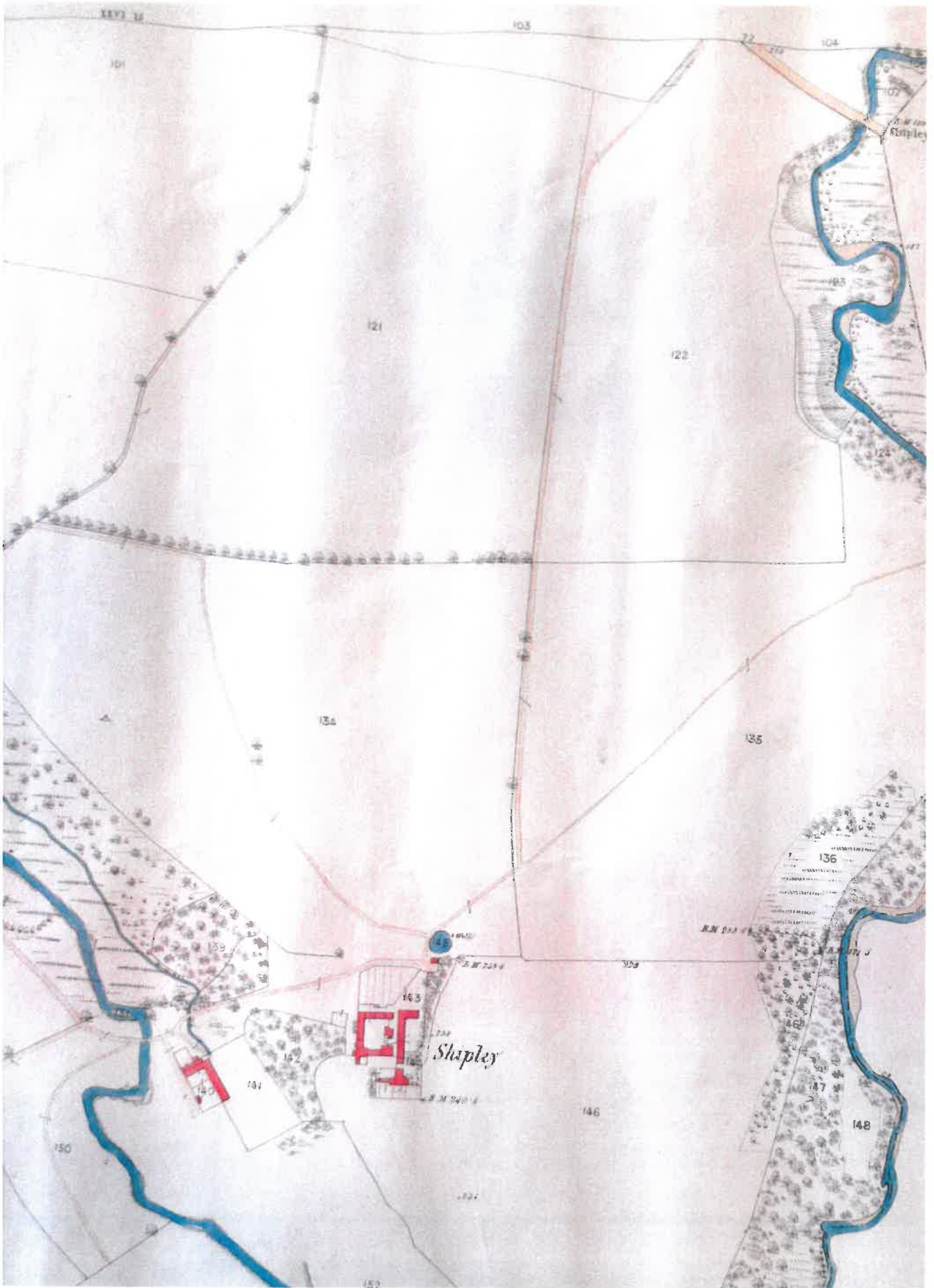
Greenwood's County Map  
1828



Shipley Tithe Award  
1841



1st Edition 25" O.S. Map  
c.1860



TOWNSHIP OF SHIPLEY.

No. on Plan.	Area in Acres.	Description.	No. on Plan.	Area in Acres.	Description.
	915-451	<i>Brought forward.</i>		1375-327	<i>Brought forward.</i>
66	113	Wood.	110	145	Gardens.
67	925	Wood.	111	198	Houses & yards.
68	2-434	Arable.	112	82-151	Rough pasture, streams & roads.
69	996	Rough pasture & trees.	113	1-481	Rough pasture.
70	229	Pasture.	114	25-255	Arable & stream.
71	1-158	Rough pasture, trees, & road.	115	071	Pond.
72	212	Pasture.	116	33-623	Arable, stream, & road.
73	44-066	Rough pasture & furze	117	23-901	Arable.
74	27-085	Rough pasture, furze, & roads.	118	2-345	Public road.
75	23-158	Rough pasture & stream	119	6-968	Wood.
76	39-328	Rough past. & streams.	120	24-572	Arable.
77	7-477	Public road.	121	37-352	Arable & stream.
78	11-237	Arable.	122	25-265	Arable & road.
79	24-232	Pasture, quarries & roads.	123	6-655	Rough pasture & trees
80	1-899	Farmsteading, garden, &c.	124	792	Wood.
81	2-245	Pasture & road.	125	1-495	Rough pasture.
82	148	Private road.	126	50-366	Pasture & furze.
83	17-543	Arable & road.	127	37-244	Arable, rough pasture, & road.
84	11-838	Arable.	128	35-609	Arable.
85	17-616	Arable.	129	1-176	Wood.
86	8-037	Arable, old quarry, & stream.	130	6-546	Arable.
87	2-922	Rough pasture, trees, & stream.	131	4-235	Rough pasture & road.
88	234	Private road.	132	15-237	Rough pasture, trees, & stream.
89	262	Garden.	133	1-911	Wood.
90	069	House & garden.	134	37-339	Arable & roads.
91	2-434	Arable.	135	31-352	Arable & road.
92	3-105	Arable.	136	2-752	Rough pasture, trees, & stream.
93	130	Garden.	137	103	Pond.
94	2-174	Arable.	138	021	Pasture & trees.
95	1-673	Rough pasture.	139	1-747	Wood & stream.
96	20-433	Rough pasture.	140	331	Houses & yards.
97	14-637	Rough pasture & stream	141	1-070	Pasture.
98	741	Rough pasture & trees	142	1-232	Wood.
99	22-951	Rough pasture.	143	1-162	House, gardens, farm- steading, &c.
100	28-003	Rough pasture.	144	598	House, garden, & orna- mental grounds.
101	23-896	Arable.	145	073	Pond.
102	19-995	Arable.	146	26-061	Arable.
103	25-379	Arable.	146a	1-310	Wood.
104	9-030	Arable.	147	13-985	Wood, rough pasture, & stream.
105	860	Wood.	148	591	Pasture.
106	6-798	Shipley Burn (part of).	149	15-080	Arable & road.
107	479	Rough pasture.	150	5-335	Arable & roads.
108	16-837	Arable.	151	6-887	Eglingham Burn.
109	14-858	Arable.			
	1375-327	<i>Carried forward.</i>		1946-949	<i>Carried forward.</i>

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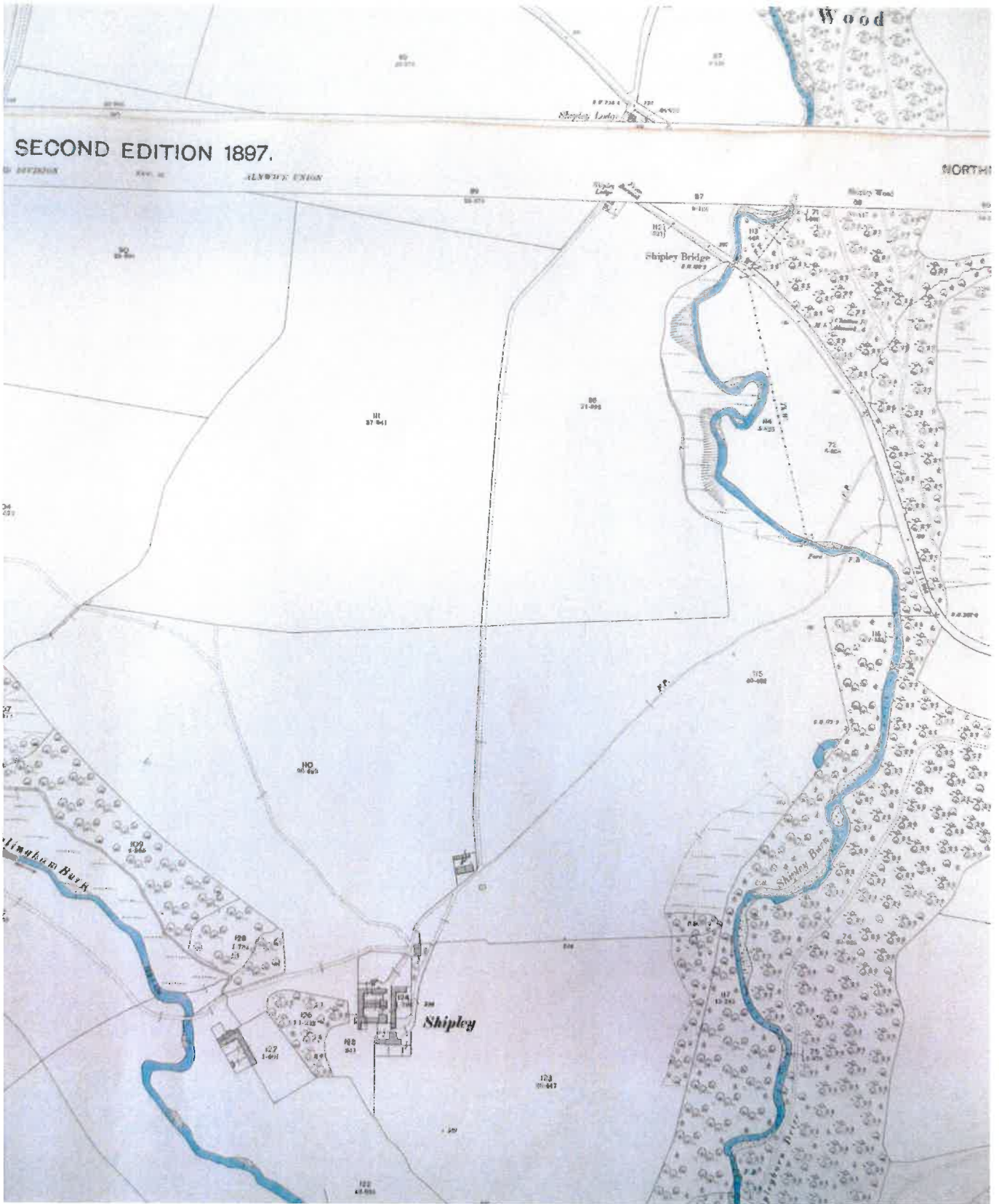
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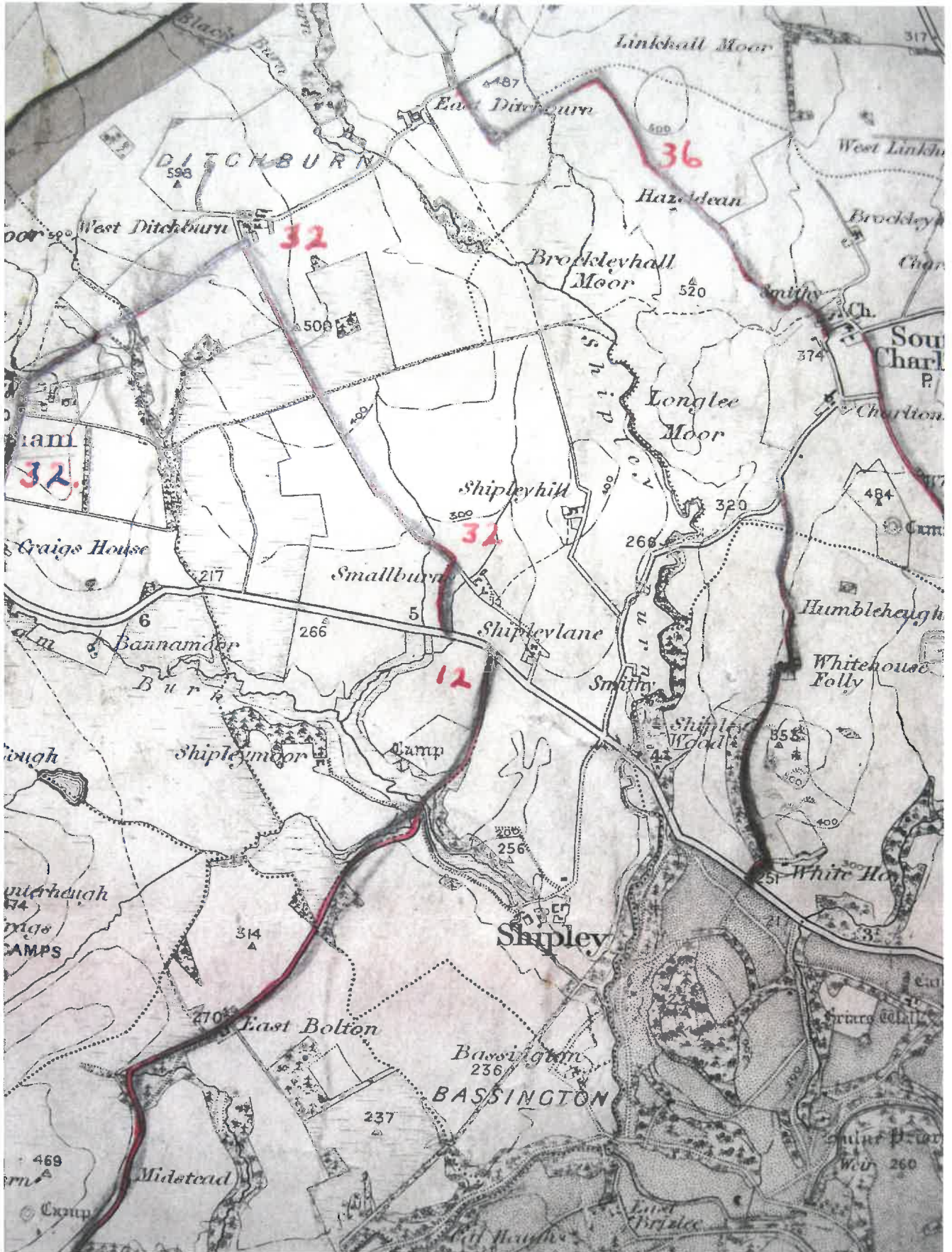
2nd Edition 25" O.S. Map  
1897







# Alnwick RDC Handover Map 1932



*Althrop*

**ALNWICK RURAL DISTRICT  
COUNCIL**

**SCHEDULE  
OF  
REPUTED  
PUBLIC RIGHTS  
OF WAY**

## Description.

Right of  
No. Way.**50. PARISH OF SHILBOTTLE.**

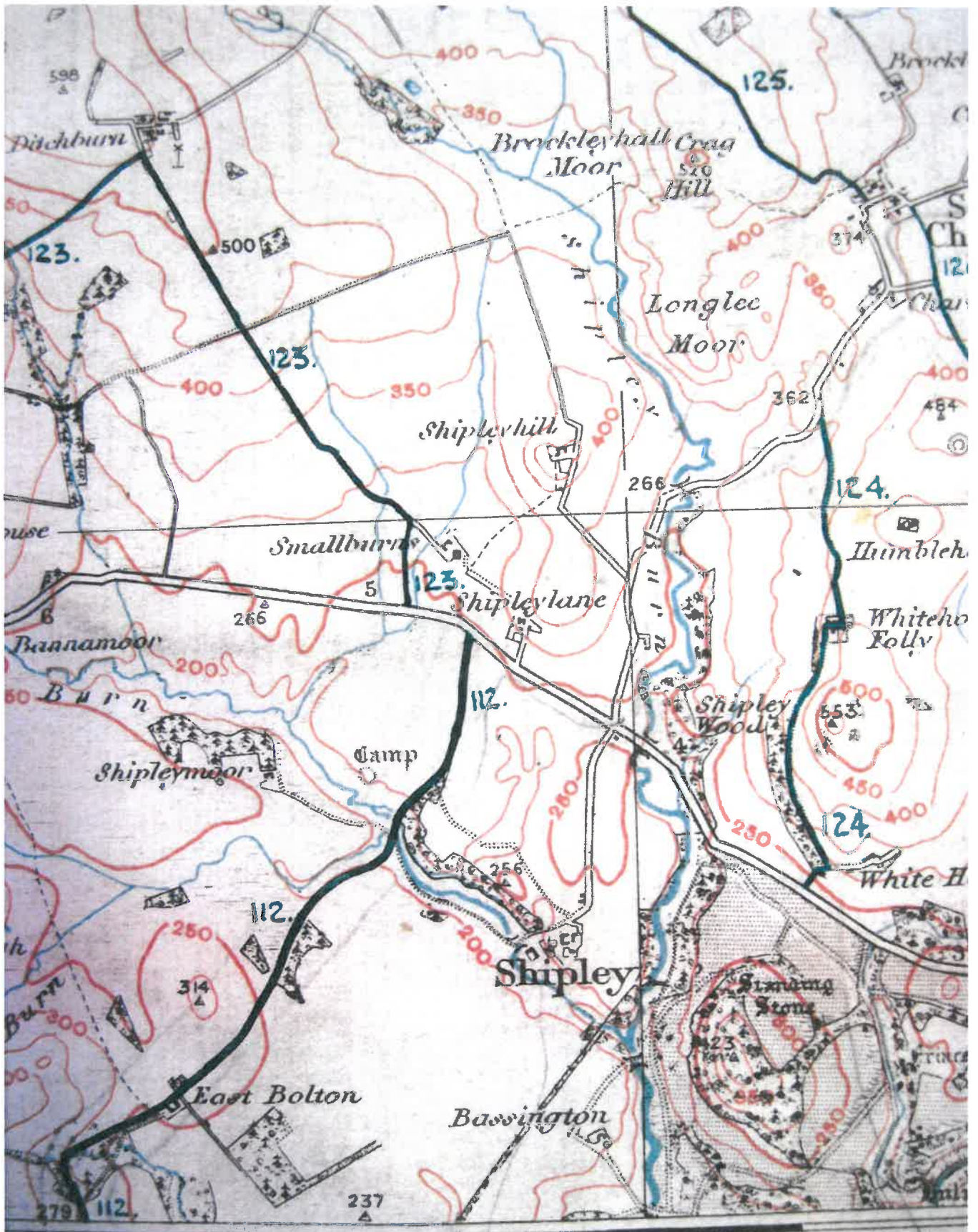
1. B.R. From the Shield Dykes public road E. of Hampeth Quarry to Snipe House running in a N.W. direction through field No. 20 then along cart road to the Denwick Parish Boundary joining bridle road No. 6 in that Parish.
2. F. From public road at County Quarry Plant to Snipe House, running in a W. direction by side of Trunway to the Denwick Parish Boundary, joining footpath No. 7 in that Parish.
3. C.R. From Hitchcroft public road joining Beacon public road at Beacon Quarry.
4. F. From public road at Hillhead Corner running in a N. direction through field No. 289 to the Beacon public road.
5. B.R. From public road at Colliery Farm to West Cawledge, running in a N.W. direction through field No. 70 and Black Plantation to the Denwick Parish Boundary, joining bridle road No. 11 in that Parish.
6. F. From public road at Percy Cottage, Shilbottle, to Cawledge Middle Park, running in a N. direction through field Nos. 164, 149, 74, 74<sup>1</sup>, 77, joining footpath Nos. 9, 10, at the Denwick Parish Boundary, joining footpath No. 12 in that Parish.
7. F. From bridle road No. 5 at Colliery Farm running in an E. direction to join footpath No. 6.
8. F. From Bean Moor public road S. of Colliery Farm running in an E. direction through field Nos. 149, 148, 145, 136, to public road at Milburns Bank.
9. F. From public road W. of the Caunon, Shilbottle, to Cawledge Middle Park, running in an N. direction through field Nos. 144, 145, 146, 75, 77, to the Denwick Parish Boundary, joining footpath No. 12 in that Parish.
10. F. From public road at Milburns Bank, Shilbottle, to West Cawledge Park, running in a N. direction over cart road then through field Nos. 76, 78, 77, to the Denwick Parish Boundary, joining footpath No. 13 in that Parish.
11. F. From public road at Abwick from the Woodhouse Parish Boundary at the Shilbottle Grange to Abwick joining footpath No. 1 in that Parish, running in a N. direction through field Nos. 113, 93, crossing public road, then through field Nos. 92, 90, to the Denwick Parish Boundary, joining footpath No. 14 in that Parish.
12. B.R. From public road N. of Percy Road, running in a N.E. direction over cart road to Town-foot Farm.
13. B.R. From Town-foot Farm running in a N.W. direction over cart road to public road.
14. F. From Town-foot Farm to Bilton Banks, running in a N.E. direction over cart road then through field Nos. 108, 106, passing Longlyke to the Lesbury Parish Boundary, joining footpath No. 15 in that Parish.
15. B.R. From Grange Road to Town-foot running in a N. direction over cart road in front of Council Houses, then through field Nos. 205, 203, 126, 127, joining bridle road No. 12.
16. F. From N. end of Percy Road running in a W. direction to public road on N. side of Shilbottle.
17. F. From public road at Aged Miners' Homes running in a S. direction over cart road then through Church Yard to public road near Parish Room.
18. F. From footpath No. 17 running in a E. direction to Percy Road.
19. F. From public road at Hillhead running in an E. direction over cart road to Hillhead Farm, then over field No. 277 joining bridle road No. 20.
20. B.R. From public road E. of Farmers Arms, Shilbottle, to Hartlaw, running in a S. direction over Green Lane, then through field Nos. 226, 261, 277, 275, then E. through field No. 301 then again S. through field Nos. 269, 301a, 301b, 309, crossing Sturton Grange public road, then through field No. 306 to the Hazon and Hartlaw Parish Boundary, joining bridle road No. 3 in that Parish.

## Description.

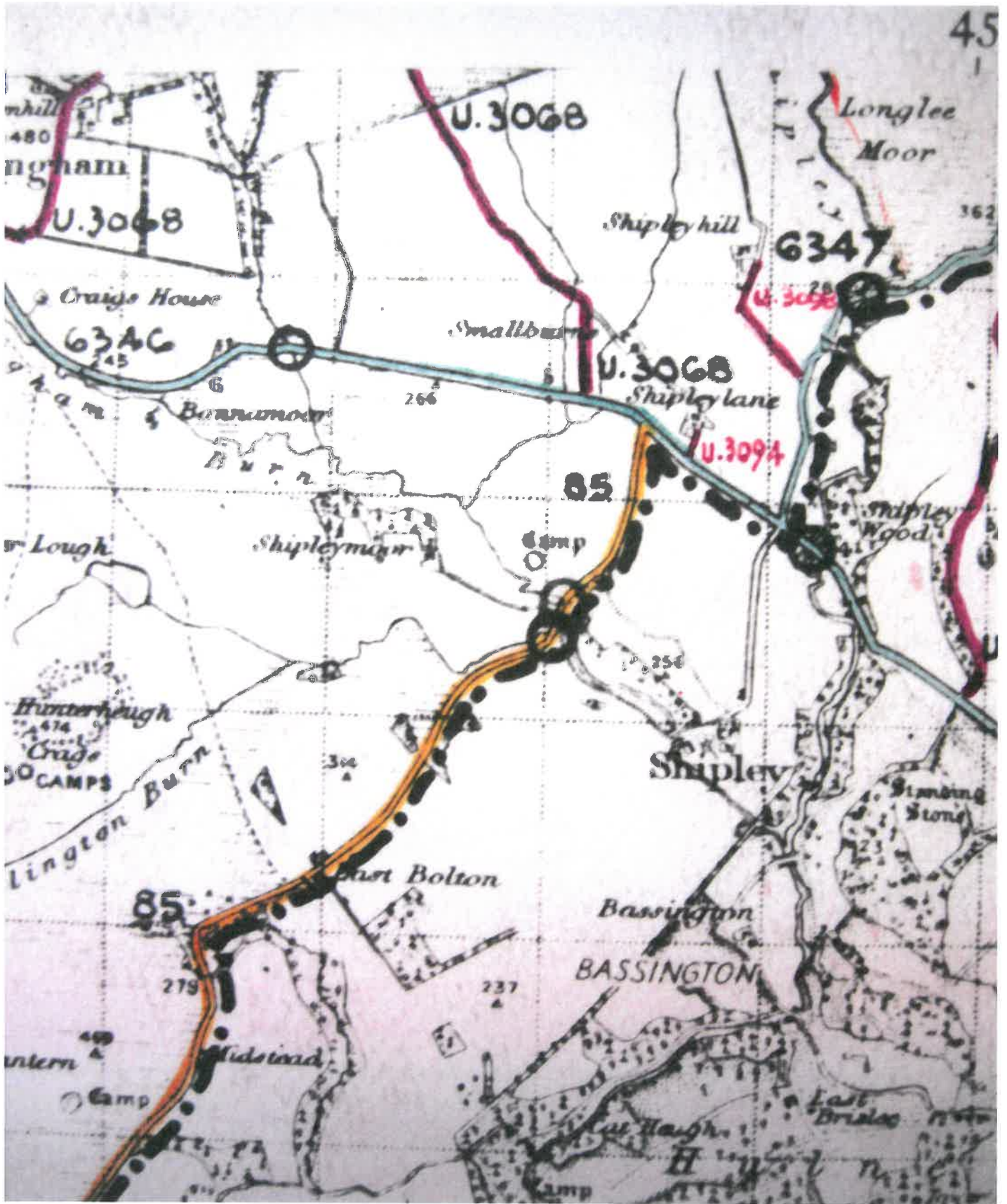
Right of  
No. Way.

21. B.R. From Sturton Grange public road to Shilbottle Grange Colliery, running in a N. direction through field No. 305 then E. along fence to the Woodhouse Parish Boundary, joining bridle road No. 2 in that Parish.
  22. F. Newcastle main road to the Firth Cottages, from main road running in a N.W. direction through Plantation to the Denwick Parish Boundary, joining footpath No. 9 in that Parish.
- 51. PARISH OF SHIPLEY.**
1. B.R. From the Wooler public road and E. of Banamoor Bridge running in a N. direction to the Ditchburn Parish Boundary, joining bridle road No. 1 in that Parish.
  2. B.R. From the South Charlton public road running over cart road in a N.W. direction, then N. past Shipley Hill to the South Charlton Parish Boundary, joining bridle road Nos. 1, 4, in that Parish.
  3. F. From South Charlton public road W. of bridge, running in a W. direction through field Nos. 46, 47, passing through Shipley Hill, then through field Nos. 43, 9, 12, 13, joining the West Ditchburn public road.
  4. F. Smallburns to Shipley Hill, from footpath No. 5 near Smallburns, running in a N.E. direction through field Nos. 60, 58, 42, 43, joining footpath No. 3 at Shipley Hill.
  5. F. From the South Charlton public road near Old Shipley, running in a W. direction to Shipley Lane and Smallburns, through field Nos. 80, 59, 60, to West Ditchburn public road.
  6. F. From the South Charlton public road below Old Shipley, running in a W. direction through field Nos. 79, 78, 76, 75, to the Wooler Road opposite Bolton road end.
  7. B.R. From Bolton public road opposite the Plantation, running in a N.W. direction through field Nos. 94, 96, to the Eghingham Parish Boundary, joining bridle road No. 13 to Eghingham in that Parish.
  8. C.R. To Shipley from Wooler Road at Shipley Lodge, running in a S. direction to Shipley, then W. through field No. 110a, crossing the Eghingham Burn, then N.W. through field Nos. 137, 130, 131, 94 to the Bolton Road near bridge over Tittington Burn.
  9. F. From Shipley cart road No. 8 running in a N.E. direction through field Nos. 115, 115b, to the Denwick Parish Boundary, joining footpath No. 1 in that Parish at footbridge over Shipley Burn.
- 52. PARISH OF STAMFORD.**
1. C.R. From Embleton South Farm running in a W. direction to Prickley Bridge.
  2. B.R. Stamford to Dunstan from public road S. of Old Quarry, running in an E. direction through field Nos. 43, 42, to the Howick Parish Boundary at Haddleton Plantation, and joining bridle road No. 1 in that Parish.
  3. F. Stamford to Little Mill, from public road at Stantford Farm running in a S. direction through field Nos. 67a, 67, 69, 69a, to the Longboughton Parish Boundary, joining footpath No. 3 in that Parish.
  4. B.R. Little Mill to Remington, from public road near Little Mill Plantation, running in a N. direction through field No. 69a, passing under L.N.E.R., and then through field No. 59 to the Remington Parish Boundary, joining bridle road No. 6 in that Parish.
- 53. PARISH OF STURTON GRANGE.**
1. F. Commencing at main road at Sturton Grange and running in a N. direction along cart road past cottages through field No. 11 to Woodhouse Parish Boundary, joining footpath No. 3 in that Parish.
  2. F. From Sturton Grange road end across field No. 25 in a N.E. direction to Low Buston Parish Boundary, joining footpath No. 8 in that Parish.

Extract from Northumberland County Council One Inch Maps showing restrictions under Sections 1 and 2 of the Restriction of Ribbon Development Act 1935

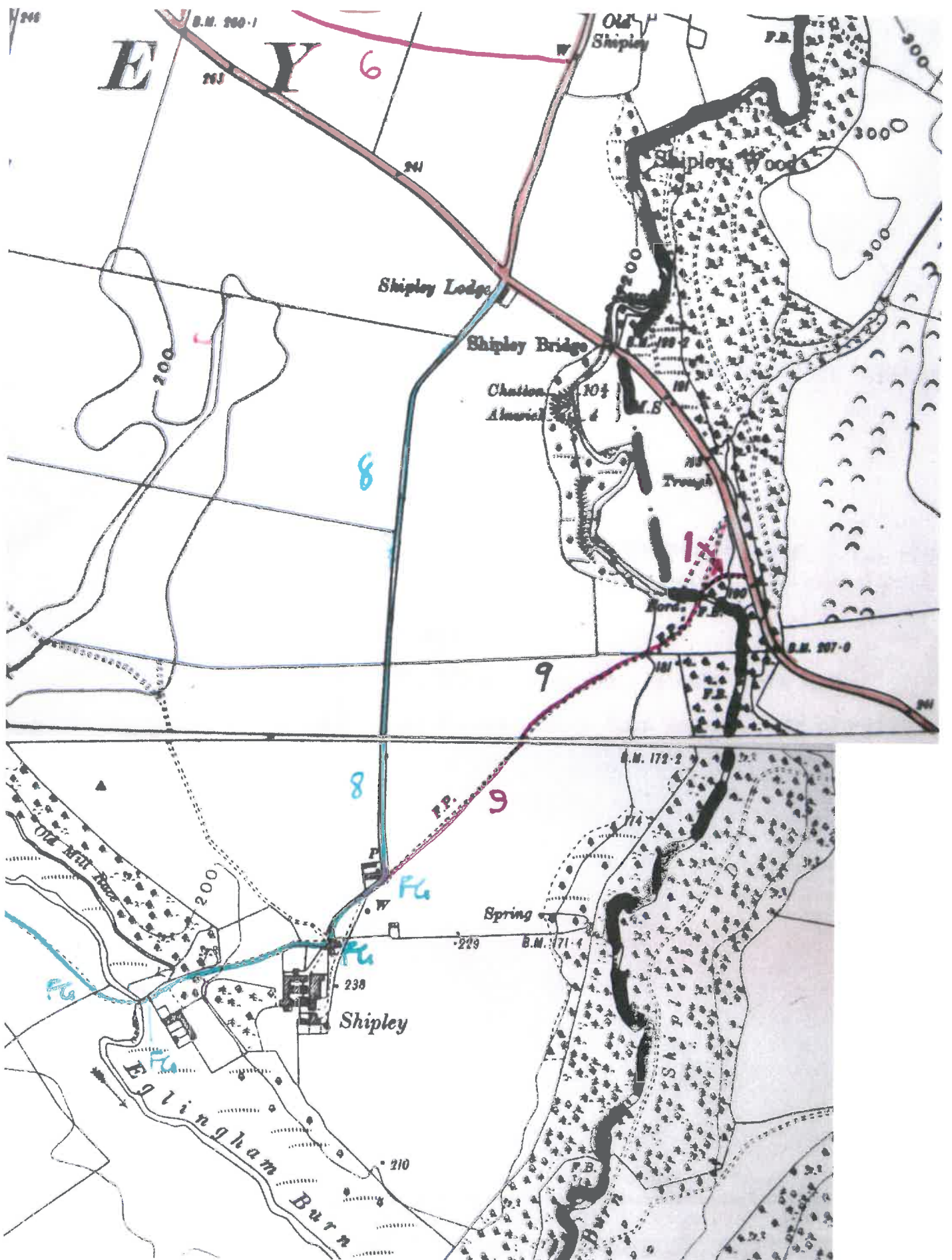


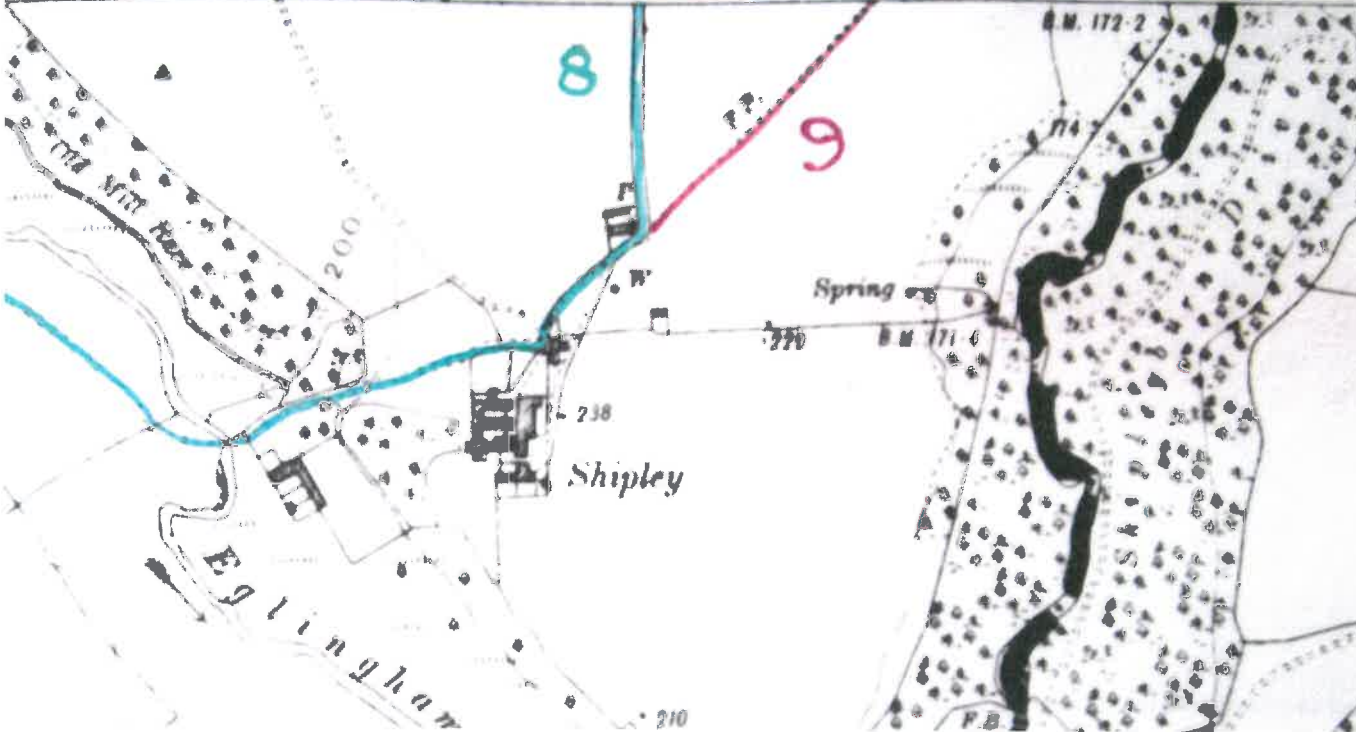
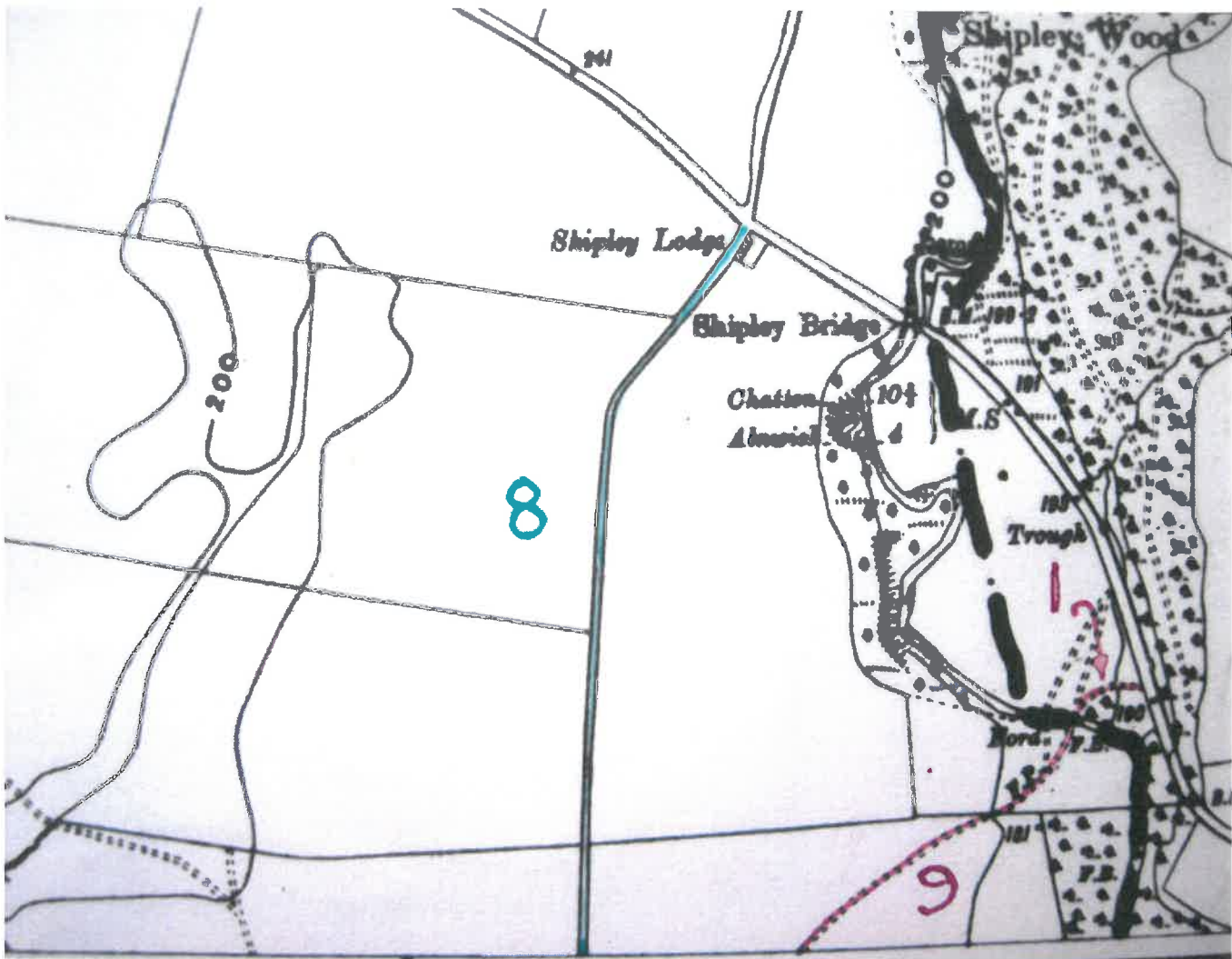
Extract from the Council's 1951 Highways Map



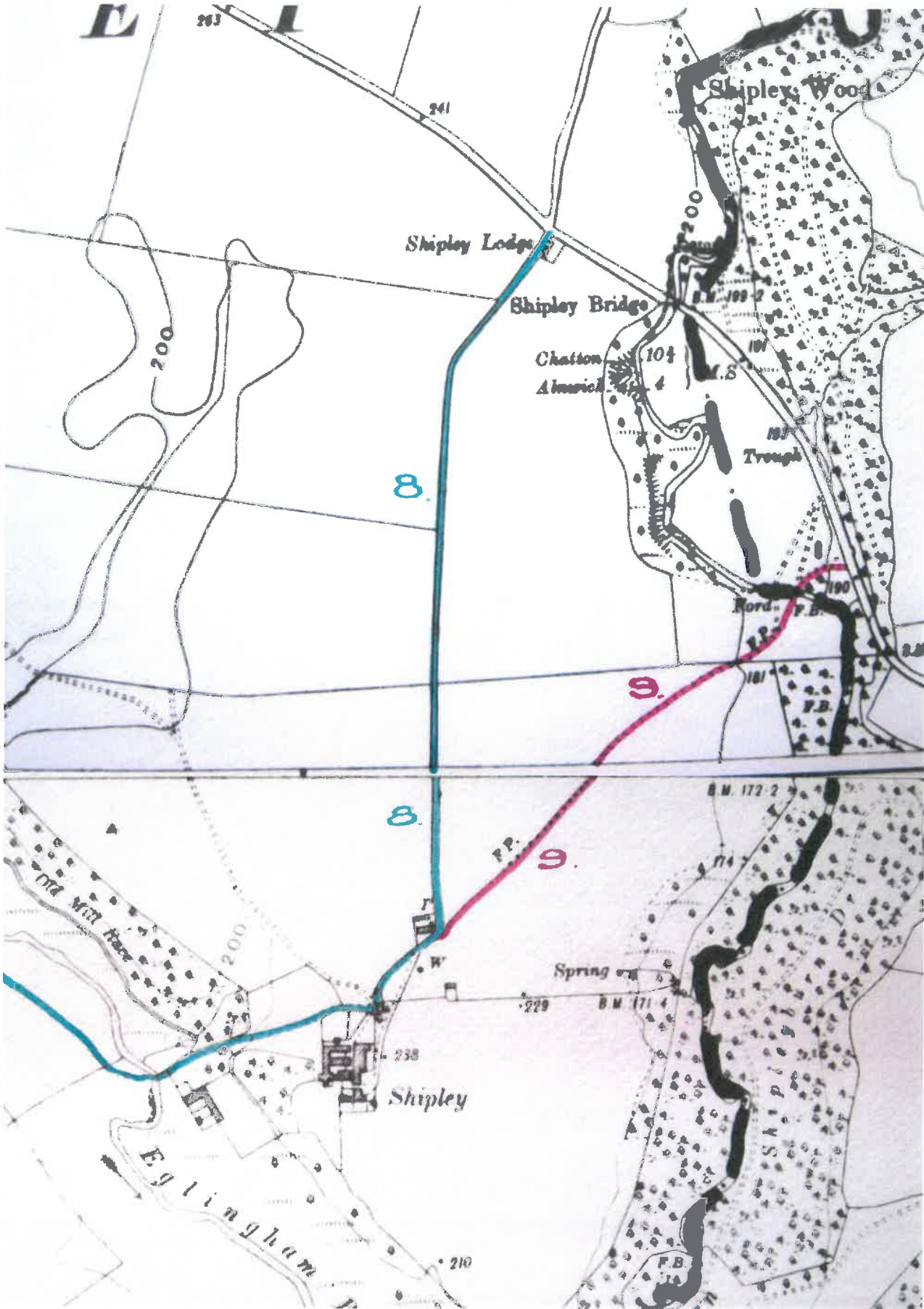


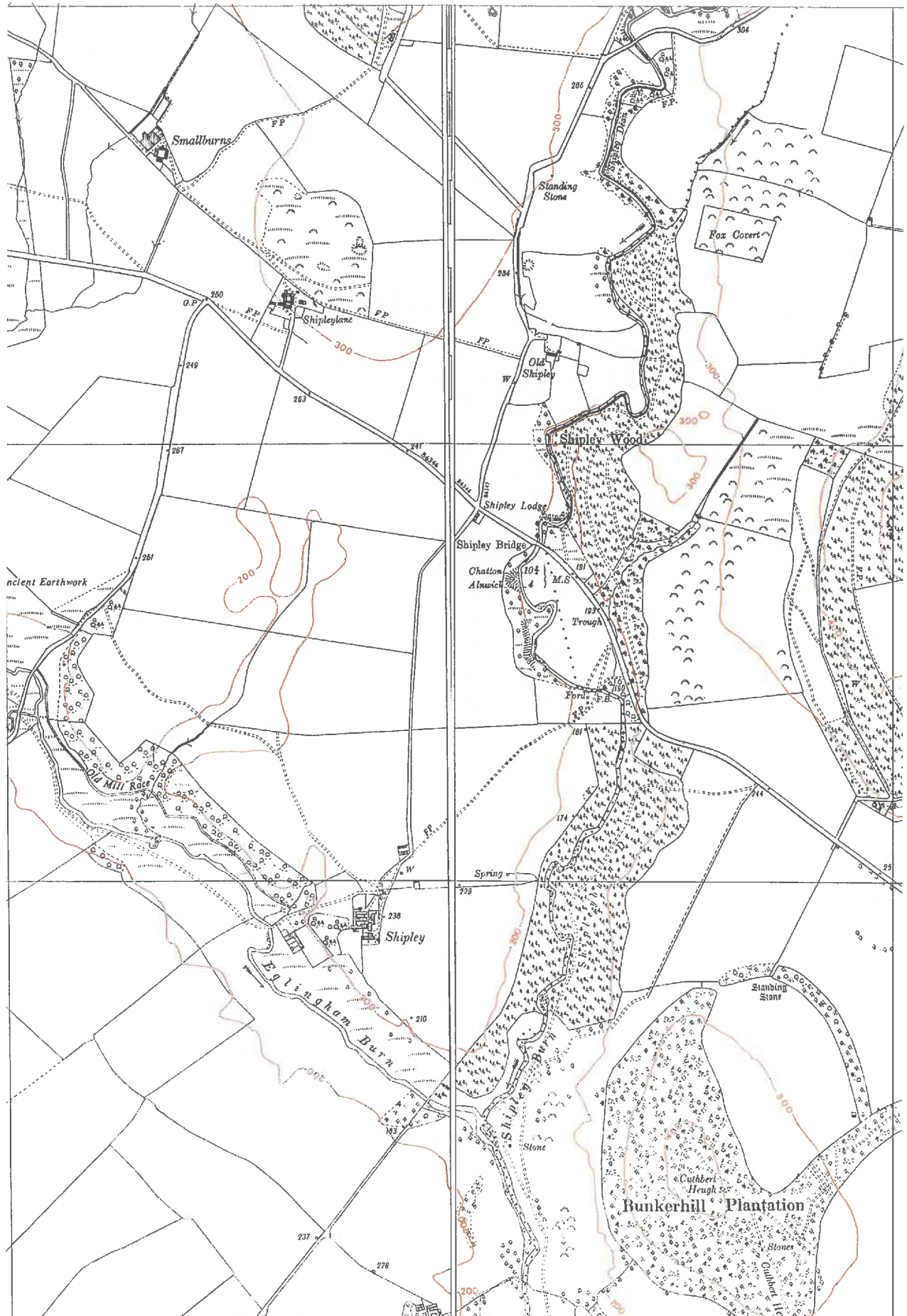
# Survey Map



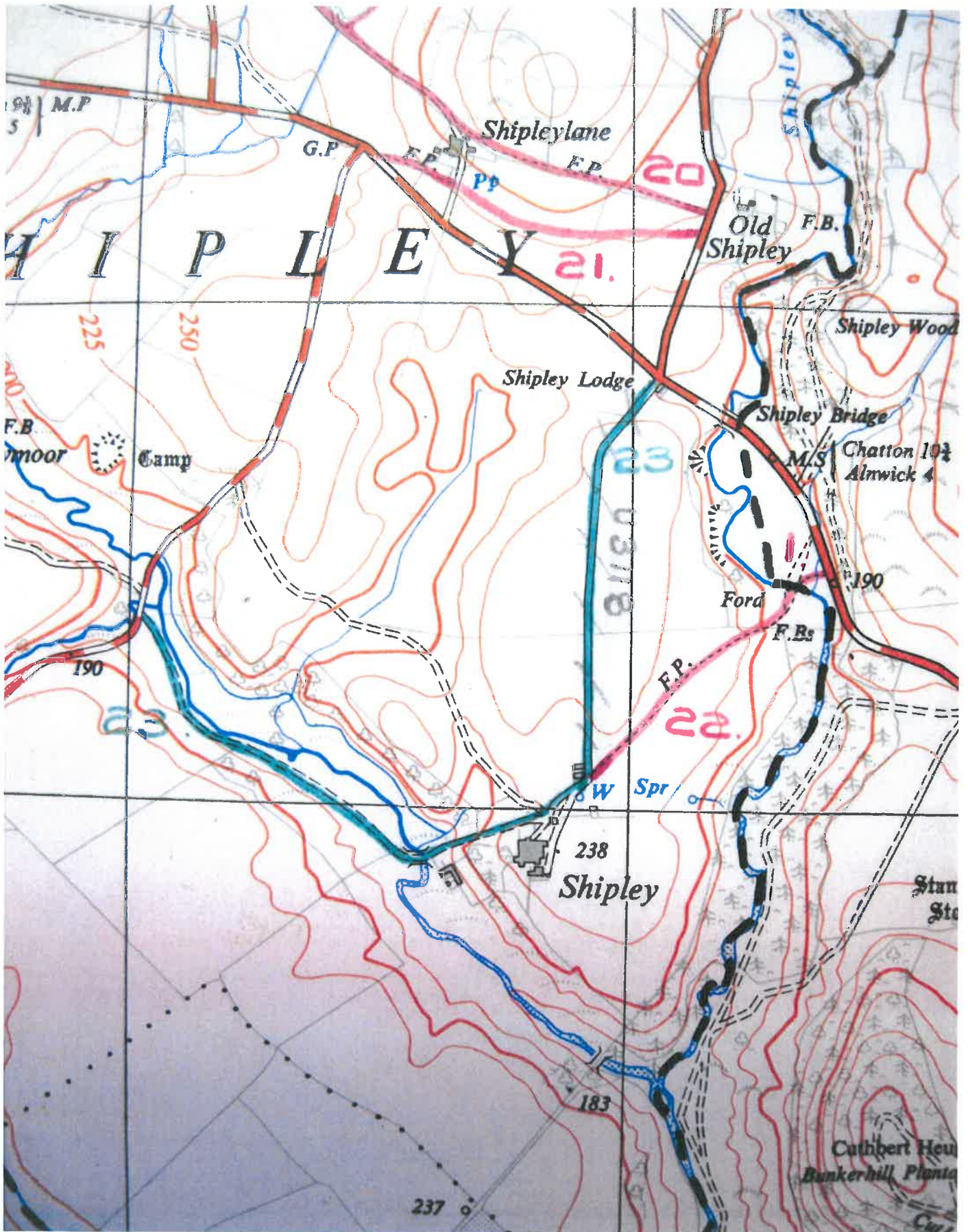


Provisional Map





Original Definitive Map



NORTHUMBERLAND COUNTY COUNCIL.

NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949.

PART IV.

PUBLIC RIGHTS OF WAY - STATEMENT.

1. Borough .....  
Urban District .....  
Rural District ..... ALNWICK .....
2. Parish ..... EGLINGHAM .....
3. Number of Footpath on Map ..... 22 .....
4. Name of Path .....
5. Kind of Path (i.e. FP/BR) ..... F.P. ....
6. General Description of Path ..From B.R. 23 north-east of Shipley in.....  
a north-easterly direction crossing the bridge over the Shipley Burn.....  
to join F.P. 1 at the Denwick Parish boundary.....  
.....  
.....  
.....
7. Other relevant information ..Footbridge at Shipley Field No. 2 recorded....  
on County Council Schedule as F.B. 3043.....  
.....  
.....  
.....

NORTHUMBERLAND COUNTY COUNCIL.

NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949.  
PART IV.

PUBLIC RIGHTS OF WAY - STATEMENT.

1. Borough .....  
Urban District .....  
Rural District ..... ALNWICK
2. Parish ..... EGLINGHAM.
3. Number of Footpath on Map ..... 23
4. Name of Path .....
5. Kind of Path (i.e. FP/BR) ..... B.R. width 10'0" metalled.
6. General Description of Path ..... From the Alnwick - Wooperton Road at  
Shipley Lodge in a Southerly, south-westerly and north-westerly direction  
by Shipley and across the Eglington Burn by the footbridge to join the  
Eglington - Bolton Road south of the Bridge over the Titlington Burn.  
.....  
.....
7. Other relevant information ..... Footbridge at Shipley Farm recorded on  
County Council Schedule as F.B. 3044.  
.....  
.....  
.....  
.....

# 1964 County Road Schedule

- 86a -

<u>Route No.</u>	<u>Name of Road.</u>	<u>Description.</u>	<u>Responsible Division or Authority.</u>	<u>Mileage.</u>	<u>Total Mileage.</u>
U. 3118	Shipley Farm Road.	From B. 6346 at its junction with B. 6347 south-west and south to Shipley Farm.	Alnwick.	0.61	0.61





## REPORTS OF COUNTY SURVEYOR—continued.

The lists are to be submitted by the 30th September, 1965, and are to be sub-divided according to whether the schemes lie inside or outside a Conurbation area. The total preparation level for the schemes in the eight year period is to be to the grant value of £400 million shared equally inside and outside the Conurbations. This figure excludes schemes in the Greater London Area, for which separate but similar arrangements are being made. Specifically excluded from the lists are schemes connected with New Towns, town expansions and schemes on classified roads outside urban areas as separate provision has been made for these in the classified road programme.

After considering the information, the Ministry will inform highway authorities as soon as possible whether their schemes have found a place in the list. They will then have a firm basis on which to proceed with their further plans and preparations. Preference will generally be given to schemes which provide for substantial relief of the conditions affecting all kinds of traffic at town centres and which facilitate or promote re-development in accordance with the Buchanan concepts.

Consideration is now being given to the preparation of lists of schemes for Northumberland.

#### (4) Ministry of Transport Circular, Roads No. 10/65.— Conditions of Grant for Classified Roads.

This Circular is intended to modify the existing arrangements for the Ministry control of grant-aided road works and to introduce as many simplifications as possible within the framework of the present system, pending a general review of the highways grant system.

The revised arrangements include some changes of procedure relating to grants on the cost of land acquisition to remedy defects which have been revealed by experience. Their purpose is to provide the Ministry with better and earlier information on which to base grants and advances, and so to lessen the risk of over-payment or under-payment during the progress of the schemes.

The details required for submission of formal grant application are reduced considerably, for instance only outline estimates are required for schemes costing under £100,000. Land may be added to the highway before grant is issued without prejudicing grant on its cost in a future scheme. The cost of any accommodation or demolition works immediately necessary for its incorporation in the highway will also be eligible for grant later.

Decision of the Committee.

Decision of the Committee.

## REPORTS OF COUNTY SURVEYOR—continued.

#### (5) Annual Estimates, 1965-66. Classified Roads.

Notification has been received from the Ministry of Transport that the amount of grant to be allocated for the maintenance and minor improvement of the classified roads during 1965-66 is to be £941,951.

The allocation is based on the long-term programme submitted to the Ministry of Transport in 1962, together with an allocation of £45,593 in respect of the provision of footways alongside Hexham Bridge.

The estimates submitted to the Committee in December were based on a grant expectation of £902,748, and excluding the amount allocated in respect of Hexham Bridge, the grant to be allocated, i.e. £896,356, is within £7,000 of the grant element quoted in the estimates.

The total amount of £941,951 represents an increase of £351,946 over the initial grant allocation for 1964-65.

#### Trunk Roads.

Intimation has been received from the Ministry of Transport that the allocation for the maintenance and minor improvement of the Trunk Roads in Northumberland for 1965-66 is £332,000, as against the estimate of £466,000 submitted.

This compares with allocations of £335,000 in 1964-65 and £366,000 in 1963-64.

#### (6) Private Streets—Recommendations for Adoption.

Applications have been made for the adoption of the following streets:—

##### Alnwick Rural District.

Mr. G. E. Robertson, Shipley Farm Road, off the north side of the Wooperton-Alnwick Road, B.6346. Length 1,080 yards.

Air Ministry. Officers' Married Quarters, R.A.F., Ackington, off the west side of the Ackington-Chevington Road, C.107. Length 658 yards.

##### Morpeth Rural District.

Messrs. J. Campbell Smith Ltd. St. John's Estate, Radston, off the north side of the South Broomhill-Lowaldrie Road, U.6005. Length 663 yards.

Ashington Industrial Co-operative Society. Housing site at Uigham off the east side of the Uigham-Longston Station Road, C.124. Length 54 yards.

That representations be made to the Ministry regarding the reduction in grant.

That the roads be taken over as highways repairable at the public expense subject to their completion to the satisfaction of the County Surveyor.

Decision of the Committee.

Received.

Received.

# 1965 Highway Dedication

COUNTY OF NORTHUMBERLAND  
SHIPLEY FARM  
ALNWICK  
SCALE - 1/2500

1216

SHIPLEY FARM

ALNWICK

DO HEREBY DECLARE THAT I/WE HAVE DEDICATED TO THE USE OF THE PUBLIC AS A HIGHWAY THAT PORTION OF LAND AT SHIPLEY FARM, ALNWICK, IN THE COUNTY OF NORTHUMBERLAND WHICH IS COLOURED RED HEREON AS FROM TO-DAYS DATE.

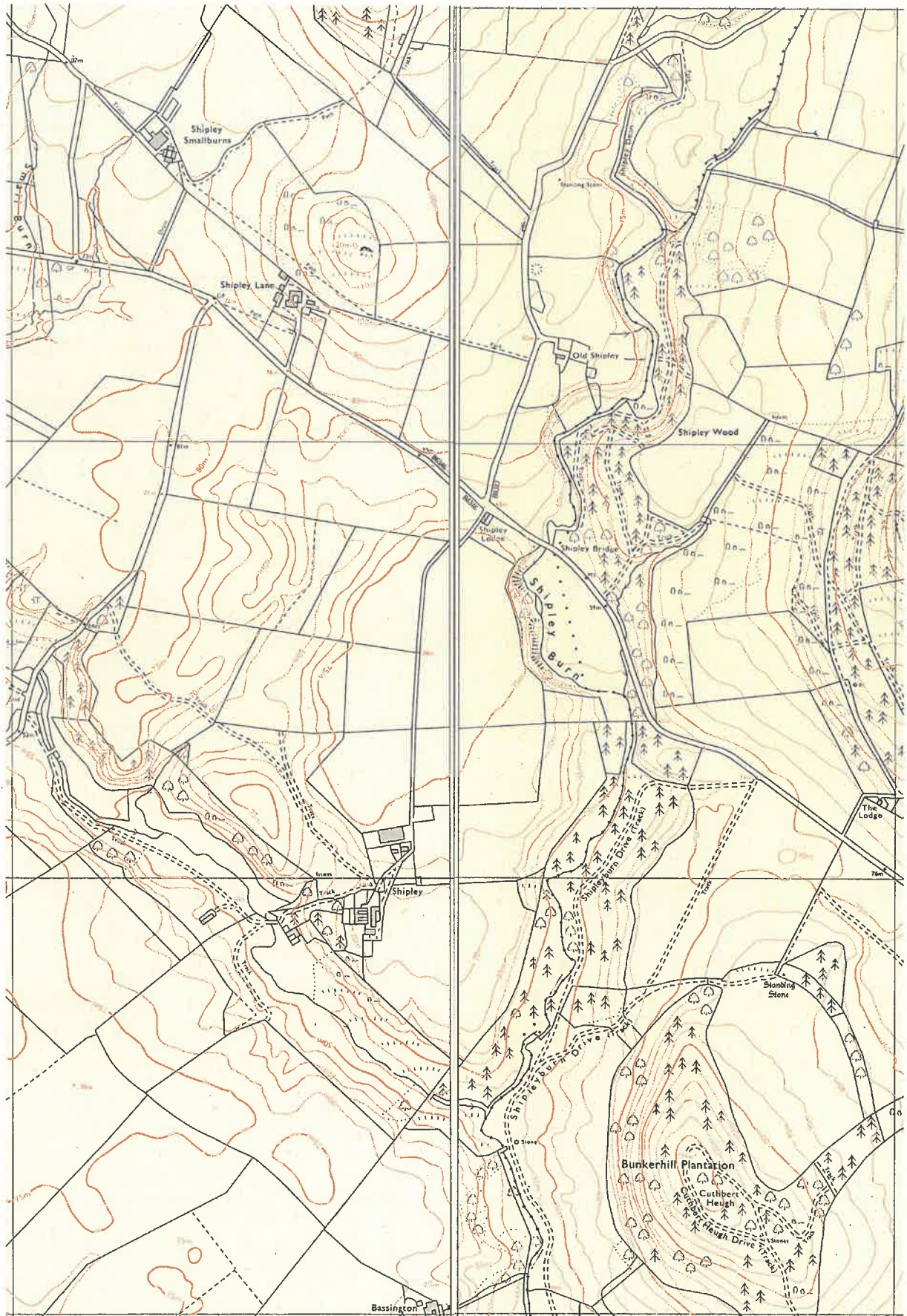
DATED THIS 23rd / DAY OF December, 1965

WITNESS: *E. A. ...* SIGNED: *E. A. ...*  
ADDRESS: Estates Office, Alnwick Castle, Alnwick, Northumberland. Agent to the Trustees of the Duke and Duchess of Northumberland's Marriage Settlement.

DRG No. U3/205

# 1974 County Road Schedule

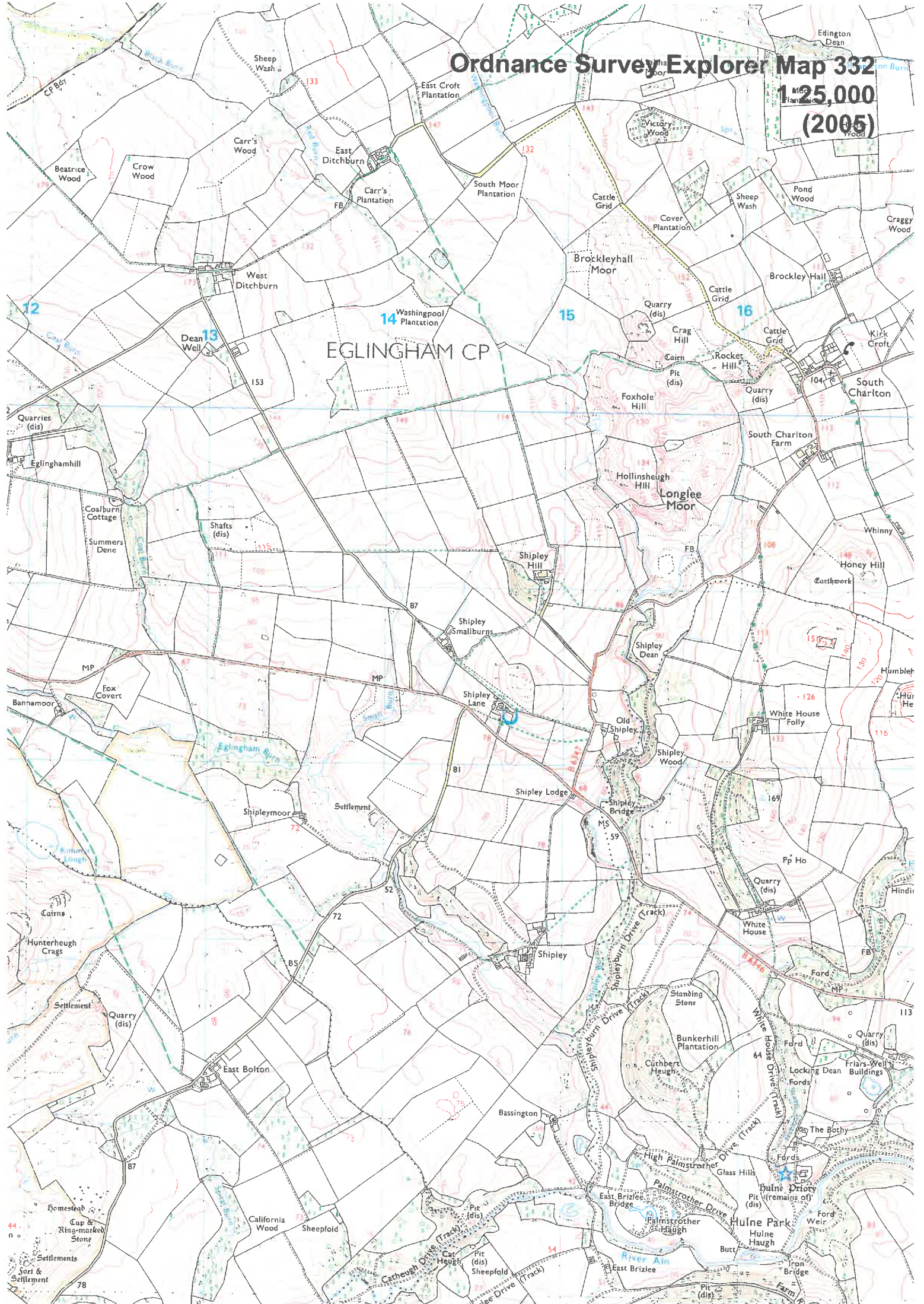
Route No.	Name of Road	Description	Responsible Division or Authority	Mileage	Tot Mile
U.3114	Ashfield Terrace and Beech Estate, Shilbottle.	From C.95 at Shilbottle (NU 205084) northwards along Ashfield Terrace for 65 yards and thence northwards and eastwards for 210 yards, including cul-de-sac of 147 yards.	Alnwick Division		0.2
U.3115	Edlingham Church Road.	From C.89 at Edlingham (NU 113091) north-eastwards for a distance of 80 yards to Edlingham Church.	Alnwick Division		0.0
U.3116	Government Married Quarters, Acklington.	Off south side of B.6345 at east end of Acklington Village (NU 232019):- Quarry Avenue, (off B.6345) 175 yds. Acklington Drive, (off Quarry Avenue), 338 yds. (including one footpath 6 feet wide, 89 yds, and one footpath 3'6" wide, 24 yds).	Morpeth Division		0.2
U.3117	Hauxley-Amble Road.	From C.109 at Hauxley Links, Low Hauxley (NU 286031) northwards to Amble Parish boundary (1,367 yards (NU 279039)).	Alnwick Division		0.7
U.3118	Shipley Farm Road.	From B.6346 at its junction with B.6347 (NU 151178) south-west and south to Shipley Farm, (NU 148170).	Alnwick Division		0.1
U.3119	Eglington Church Road.	From B.6346 at Eglington (NU 107195) south to the gateway of Eglington Churchyard. (33 yards).	Alnwick Division		0.1
U.3120	Guyzance Avenue, North Broomhill.	From A.1068, some 220 yards east of the B.6345 junction (NU 247016) south for 67 yards east for 30 yards and then westwards for 70 yards.	Alnwick Division		0.1
U.3121	Mount View, Glanton.	From C.85 at the Causeway, Glanton, some 100 yards east of its junction with C.84 (NU 073145) northwards and westwards for 88 yards to form a cul-de-sac with turning area.	Alnwick Division		0.1
U.3122	Douglas Crescent, Swarland.	From C.390 some 766 yards north of the B.6345 junction westwards and north-westwards for 77 yards to form a cul-de-sac (NU 163026).	Alnwick Division		0.1



# Ordnance Survey Explorer Map 332

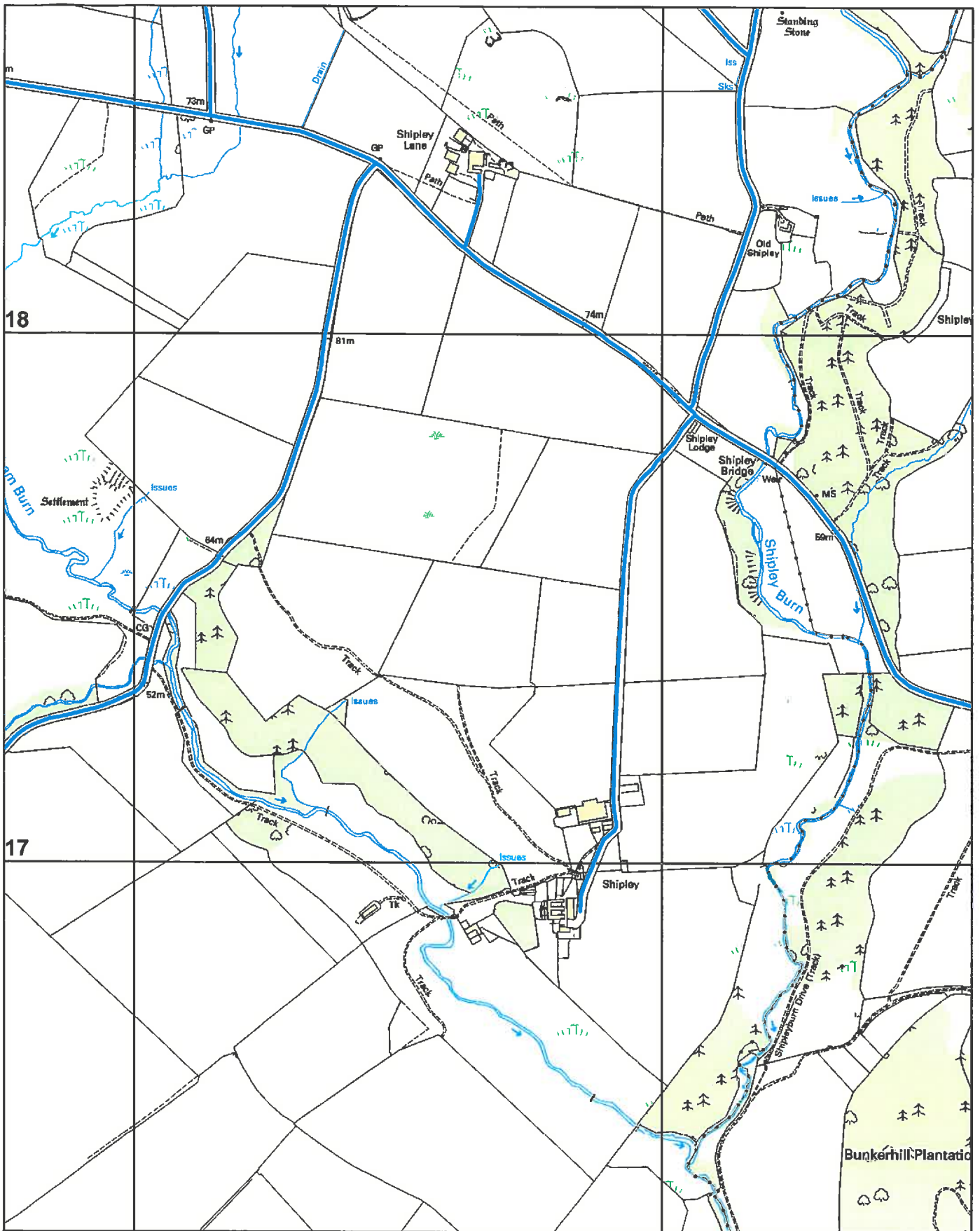
Scale 1:25,000  
(2005)

## EGLINGHAM CP



**Highways Act 1980 Section 36(6)**  
**County Of Northumberland**  
**List of Streets which are highways maintainable at the public expense**  
**As at 02-May-2006**

<b>Road Number</b>	<b>Description</b>	<b>Length - Metres</b>
<b>U3115</b>		
	C89 JCT TO EDLINGTON CHURCH	80
	<i>Total length for U3115</i>	<b>80</b>
<b>U3116</b>		
	ACKLINGTON DRIVE FOOTWAY	86
	TOWNSEND COURT	69
	ACKLINGTON DRIVE FOOTWAY	25
	B6345 JCT TO ACKLINGTON DV QUARRY A	85
	CHURCHILL WAY	284
	QUARRY AVENUE	134
	ST OMAR ROAD	282
	ACKLINGTON DRIVE	317
	<i>Total length for U3116</i>	<b>1,282</b>
<b>U3117</b>		
	PERCY STREET AMBLE	215
	PERCY STREET ROUNDABOUT AMBLE	78
	NEWBURGH STREET AMBLE	132
	MARINE ROAD AMBLE	116
	DILSTON TERRACE AMBLE	68
	C109 JCT TO 30MPH AMBLE (SOUTH)	1,711
	30MPH AMBLE (SOUTH) TO U3136 IVY STR	637
	<i>Total length for U3117</i>	<b>2,958</b>
<b>U3118</b>		
	B6346 JCT TO SHIPLEY FARM	1,003
	<i>Total length for U3118</i>	<b>1,003</b>
<b>U3119</b>		
	B6346 JCT TO ELLINGHAM CHURCH	37
	<i>Total length for U3119</i>	<b>37</b>



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**Network Management  
Information System**

Highways Act 1980 Section 36(6)  
County of Northumberland  
List of Streets which are highways  
maintainable at the public expense  
as at 02-May-2006

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Drn:

AB

Date:

May 2019

Scale:

1:10,000