



# Northumberland

## County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL  
RIGHTS OF WAY SUB-COMMITTEE  
28 August 2019

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

#### ALLEGED BYWAY OPEN TO ALL TRAFFIC No 30 PARISH OF EDLINGHAM

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 a spur of the U3057 road, from the main part of the U3057 road towards Abberwick Farm.

#### **Recommendation**

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

- (i) there is sufficient evidence to indicate that public vehicular rights have been reasonably alleged to exist over the route G-H;**
- (ii) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorized vehicular rights over the route;**
- (iii) the route 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 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.

## **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 ‘U3057’ 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 U3057 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, Mr R Wilson responded to the consultation on behalf of the Northumberland Estates 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 Edlingham Proposed Byway Open To All Traffic no 30 Plan 25

“The route follows the adopted Highway from the Main road to Abberwick Farm this then adjoins a public footpath.

“We assume that the application is being made by NCC to create additional footpath networks.”

- 3.2 By undated note, Mr Frater of Abberwick Farm responded to the consultation, stating:

“I can only confirm that this is a public right of way. The road itself is in a shocking state of repair even though it has been repaired numerous times by the council.”

### **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”. Two 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 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”.

Cycling UK did not make any comments in relation to this particular proposal.

- 4.3 By email, on 4<sup>th</sup> May 2018, Ms S Rogers responded to the consultation,

on behalf of the British Horse Society, stating:

**“Alleged byway open to all traffic 30 (Abberwick)**

This provides a tarmac access road to the farm where it links to two bridleways and a public footpath. There is a sign saying ‘Private road’ at G which means that the existing public rights along the access road are not being acknowledged. It also means that the rights of way to which it leads are cut off from the public road network. For this reason the addition of this route to the definitive map is essential. The BHS supports this proposal.”

## **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 30. Abberwick is shown as a settlement, however.

1820 Fryer’s County Map

There is clear evidence of a road or track over the route of alleged Byway No 30.

1827 Cary’s Map

There is clear evidence of a road or track over the route of alleged Byway No 30.

1828 Greenwood’s County Map

There is clear evidence of a road or track over the route of alleged Byway No 30 (and also its existing Bridleway No 1 continuation).

1845 Abberwick Tithe Award

There is clear evidence of a road or track over the route of alleged Byway No 30 (and also its existing Bridleway No 1 continuation as far as Abberwick North Farm).

1866/7 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track over the route of alleged Byway No 30.

1897 Ordnance Survey Map: Scale 1:2500

There is clear evidence of an enclosed road / track over the route of alleged Byway No 30.

#### Finance Act 1910 plan

There is clear evidence of an enclosed road / track over the route of alleged Byway No 30. The route (and also a 65 metre south-westerly continuation) is identified as being separate from the adjacent land by coloured boundaries. This is a good indication that the road was considered to be public at that time.

#### 1923 Ordnance Survey Map: Scale 1:2500

There is clear evidence of an enclosed road / track over the route of alleged Byway No 30.

#### 1932 Alnwick RDC Handover Map

The route of alleged Byway Open to All Traffic No 30 is coloured so as to identify it as a publicly maintainable road. The next 150 metres of road (currently recorded on the Definitive Map as part of Public Bridleway No 1) is also coloured to indicate that it is part of the publicly maintainable road.

#### c.1938 Restriction of Ribbon Development Act 1935 Map

The route of alleged Byway Open to All Traffic No 30 is coloured so as to identify it as a publicly maintainable road to be protected from ribbon development. The route is numbered as "107". The 'extra' length that was identified on the 1932 Handover Map is not coloured on this plan.

#### 1951 Highways Map

The route of alleged Byway Open to All Traffic No 30 is coloured so as to identify it as a publicly maintainable road. It is labelled as a spur of the "U3057".

#### c.1952 Definitive Map – original Survey Schedules & Map

The route of alleged Byway Open to All Traffic No 30 exists on the base map, and is coloured brown. Known public roads were generally coloured brown to indicate what the extent of the road network was considered to be. There appears to be a gap between the western end of the brown coloured road and the 3 public rights of way which converge at Abberwick Farm.

#### Draft Map

The route of alleged Byway Open to All Traffic No 30 exists on the base map. It is not identified for inclusion on the Definitive Map as either a public footpath, public bridleway or Road Used as a Public Path (RUPP). Bridleway No 4 has now been extended in an easterly direction, beyond Abberwick Farm, to meet the western end of the U3057 road (i.e. alleged Byway No 30). Bridleway No 5 terminates on alleged Byway No 30, roughly half way along the byway.

### Provisional Map

The route of alleged Byway Open to All Traffic No 30 exists on the base map. It is not identified for inclusion on the Definitive Map as either a public footpath, public bridleway or Road Used as a Public Path (RUPP). Two public bridleways (Nos 4 and 5) are identified as terminating on the alleged byway.

### 1957 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track over the route of alleged Byway No 30 (and also the eastern end of existing Public Bridleway No 1).

### 1962 Original Definitive Map

The route of alleged Byway No 30 exists on the base map, but is not identified as a public footpath, public bridleway or Road Used as a Public Path (RUPP).

### 1964 Highways Map

The route of alleged Byway Open to All Traffic No 30 is coloured so as to identify it as a publicly maintainable road. It is labelled as part of the "U3057". Notwithstanding the small scale of the mapping, once again the Abberwick spur appears to be shown extending all the way to Abberwick Farm.

### 1977 Ordnance Survey Map: Scale 1:10,000

There is clear evidence of mainly enclosed road / track over the route of alleged Byway No 30 (and, as previously, also the eastern end of existing Public Bridleway No 1).

### 2005 Ordnance Survey Explorer 340 Map: Scale 1:25,000

There is clear evidence of an enclosed track over the route of alleged Byway No 30. The route is coloured yellow, and the map key identifies this as a "Road generally less than 4 m wide". The westerly continuation beyond Point H is identified as public bridleway.

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

The route of the alleged byway is clearly identified as publicly maintainable highway.

## 5.2 The entry for the U3057 road, in the 1958 County Road Schedule, states:

"U3057 Bolton - Abberwick Road  
From C85 near Bolton via Abberwick Ford to U3055 east of Broomhill including Bolton Mill Road and Abberwick Road."

The length of the U3057 road is identified as 3.05 miles.

- 5.3 The entry for the U3057 road, in the 1964 County Road Schedule, states:

“U3057 Bolton - Abberwick Road  
From C85 near Bolton via Abberwick Ford to U3055 east of Broom Hill,  
including Bolton Mill Road, (580 yards), Abberwick Road, (460 yards)  
and Abberwick Mill Road, (170 yards).”

The length of the U3057 road is identified as 3.09 miles.

- 5.4 The entry for the U3057 road, in the 1974 County Road Schedule states:

“U3057 Bolton - Abberwick Road  
From C85 near Bolton (NU 110140) eastwards via Abberwick Ford to  
U3055 east of Broom Hill (NU 139127) including Bolton Mill Road, (580  
yards), Abberwick Road, (460 yards) and Abberwick Mill Road, (170  
yards).”

The length of the U3057 road is identified as 3.09 miles.

- 5.5 The route of the alleged byway is identified in the Schedule of unclassified roads identified under the provisions contained within the Restriction of Ribbon Development Act 1935:

“107. Road from Abberwick to a point on the Alnwick - Hedgeley Hall road  $\frac{5}{8}$  mile north of its junction with the Alnwick Glenallan road.”

- 5.6 In the Schedule of reputed Public Rights of Way prepared by Alnwick Rural District Council, under the Rights of Way Act 1932 there are two routes (FP 3 and BR 4) which proceed through Abberwick:

“3. F. From NW corner of field No 63 running S to Abberwick Farm and thence through field Nos 72, 70, and 83, to join public road at Glenallan Bank.

“4. BR From the Smithy to Abberwick Farm running W through field Nos 59 and 74 to the Broomepark Parish Boundary joining Bridle Road No 1 in that Parish.”

- 5.7 The original Definitive Statements for the public rights of way intersecting with the alleged byway open to all traffic state:

Public Bridleway No 1

“From the public road at Abberwick in a south-westerly direction across the Eglingham Burn to join the Bolton - Lemmington Hall road opposite Broome Park.

Public Bridleway No 4

“From the Battle Bridge - Howden Grange road east of Broome Hill in a north-westerly direction to join the public road to Abberwick.”

## **6. SITE INVESTIGATION**

- 6.1 At Point G on the 'main' U3057 road, 270 metres north-east of High Abberwick, signs exist saying (i) "Private Road - For Farm Use First Left" and (ii) a no through road sign saying "Abberwick". From this point, a 2.4 to 2.7 metre wide tarmac road in a 7 to 8 metre wide corridor proceeds in a south-westerly direction for a distance of 250 metres to a junction with existing Public Bridleway No 4, at High Abberwick. Thereafter, a 2.7 to 3.5 metre wide rougher tarmac track, in an 8.5 to 10 metre wide corridor, continues in a south-westerly direction for a further 155 metres to Abberwick Cottage. At this point there is a diagonal line of curbstones buried within and across the road. The quality of the tarmac road improves, dramatically, beyond these curbstones, presumably because this section of road is being privately maintained. The List of Streets identifies this spur of the U3057 road as continuing in a south-westerly direction for a further 20 metres along the full length of Abberwick Cottage to a Point marked H, at the western end of that cottage.

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

- 7.1 In July 2019, a copy of the report was circulated to those landowners / occupiers who responded to the initial consultation for their comments.
- 7.2 By email, on 8 August 2019, the Northumberland Estates responded with the following comments in relation to the draft report:

"I am in receipt of your email of the 17<sup>th</sup> July 2019 enclosing your draft proposal to down grade an adopted public highway to a Byway Open to All Traffic.

"As with the other submissions and draft documents which you have recently provided it does appear to be a nonsense that you are recommending that an adopted highway / a public highway with a road number is being described as in 9.1 of your draft as "it appears that public vehicular rights have been reasonably alleged to exist over the route". This is a public highway used by vehicles.

"Why is a road which is being used by public vehicles, on a public highway being recommended to be a Byway Open to All Traffic? There is no requirement to amend its status."

## **8. DISCUSSION**

- 8.1 Section 53 (3)(c)(i) 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.

- 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 30 is identified on the County Council's current List of Streets as being part of the U3057 road. The route was identified as being publicly maintainable on the 1932 Alnwick Rural District Council Handover Map, and on the map and schedule of roads produced in relation to the Restriction of Ribbon Development Act 1935. The whole route appears to have been identified on both the Council's 1951 Highways Map and the later 1964 Highways Map. It was also included in the 1958, 1964 and 1974 County Road Schedules. On the 1932 Alnwick District Council Handover Map and also on the small scale 1964 Highways map, the maintainable road is actually shown extending westwards beyond Point H, as far as Abberwick Farm.
- 8.5 The route has been consistently identified as a mainly enclosed road / track on Ordnance Survey maps since 1866 / 7. Although the route is not shown on Armstrong's County Map of 1769, it is shown on Fryer's and Greenwood's County Maps of 1820 and 1828 and on Cary's Map of 1827.
- 8.6 Although other public rights of way were identified nearby, and two public bridleways actually begin / terminate on the alleged byway route itself, that route was not included on the Draft, Provisional or original Definitive Maps as a footpath, bridleway or Road Used as Public Path (RUPP). On the Survey Map the route is coloured brown in the same way that other public roads were identified.
- 8.7 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.
- 8.8 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.

- 8.9 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.
- 8.10 Of the saving provisions above, (b) will apply to the route of alleged Byway No 30. The public's motor vehicular rights would not have been extinguished by the NERC Act 2006.
- 8.11 The Northumberland Estates has assumed that the County Council is considering this route to create an additional footpath network. There is an element of truth in this. Certainly, the Council would, in general terms, like to clarify the status of parts of the minor road network so that more walkers, horse riders and cyclists could incorporate them into their walked / ridden networks. There are several reasons, however, why it might be especially helpful to examine and clarify the status of this particular route:
- i) Farm signage at Point G (whilst probably directed at heavy vehicles visiting Abberwick Farm) gives the impression that the land owners / occupiers consider the route to be a private road with limited (or, possibly, no) public rights over it.
  - ii) Based on the documentary evidence available, a degree of ambiguity exists regarding where the public vehicular highway ends and the public bridleway begins (see paragraph 8.12, below).
  - (iii) The physical condition of the public bridleway portion of the Abberwick access road is significantly better than much of the public road portion. This might cause confusion in the minds of public users, as to which part they actually have vehicular rights over.
- 8.12 As indicated in paragraph 8.4 above, the historical highway documents held by the Council are not totally consistent with regard to the extent of the publicly maintainable road:
- The current List of Streets and (more importantly) the List of Streets as at 2 May 2006 both show the public road extending westwards as far as Point H, at the western end of Abberwick Cottage.
  - The 1964 and 1974 County Road Schedules both identify the Abberwick Road spur of the U3057 as being 460 yards long (i.e. up to Point H).

- The 1932 Alnwick Rural District Council Handover Map depicts the road as terminating at Abberwick Farm.
- The 1951 County Council Highways Map shows the road stopping in the vicinity of Point H.
- The 1964 County Council Highways Map also depicts the road terminating at Abberwick Farm.
- The Restriction of Ribbon Development Act 1935 map identifies the road extending westwards to Point H. The Schedule which the map accompanies describes the road as "From Abberwick" which could be interpreted as indicating a westerly continuation beyond Point H, but need not mean this.
- The Definitive Statement for Bridleway No 1 describes the public right of way "From the public road at Abberwick ..."
- The schedule of Reputed Public Rights of Way produced by Alnwick Rural District Council under the Rights of Way Act 1932 describes Bridleway No 4 (forerunner of the current Bridleway No 1) as "From the Smithy to Abberwick Farm running W through field Nos 59 & 74 ...". On the 2nd Edition 25" OS map, the "Smithy" is located at the site of the modern day Abberwick Cottage.

- 8.13 Although the physical evidence which exists on the ground (namely the line of stones laid diagonally across the surface of the road and the superior condition of the road west of that line of stones) suggests that the line of stones across the road is what is being treated as the maintenance boundary, this physical boundary (which exists next to the eastern end of Abberwick Cottage) is at odds with the historical documentary evidence which points to the change in highway status occurring approximately 20 metres further to the west, at Point H (i.e. the existing eastern end of Public Bridleway No 1).
- 8.14 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.
- 8.15 Although this route has a drivable surface, it is not in a very good condition. The privately maintained westerly (mainly) bridleway continuation of the route is being maintained to a much higher standard and, based purely on its visual appearance, would be much more likely to be assumed to be the public road. The road is likely to be driven by the occupiers of High Abberwick and Abberwick Cottage and by the Fraters at Abberwick Farm. The large sign at the eastern end of the road (Point G) clearly directs farm traffic to use the alternative route (i.e. existing Footpath No 3). It is not known how much equestrian, pedestrian or bicycle use the route gets. None of the consultation respondents provided any estimates regarding levels of current or past user.
- 8.16 Commenting on the draft sub-committee report, the Northumberland Estates suggests that the proposal to record the route as a byway open to all traffic is unnecessary, since the route is already a public road / highway used by vehicles. In reality, however, the route's status is currently ambiguous. As addressed in paragraphs 2.4, 8.7 and 8.8 of this report, inclusion in the List of Streets is a statement about maintenance responsibility - it does not define the status of the route. The Definitive Map, on the other hand, is a document which establishes the status of a public right of way (and generally says nothing about maintenance responsibility). As already indicated, the public bridleway continuation of the alleged byway route appears to have a better tarmac surface than the public road section, the point where the road is

physically being maintained to a higher standard does not align with the point where the status is believed to change, and there is a sign at the eastern end of the road which might lead members of the public to believe that they had no (vehicular) rights over it.

- 8.17 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 30 with a width varying from 7 to 10 metres, as identified in paragraph 6.1, above.

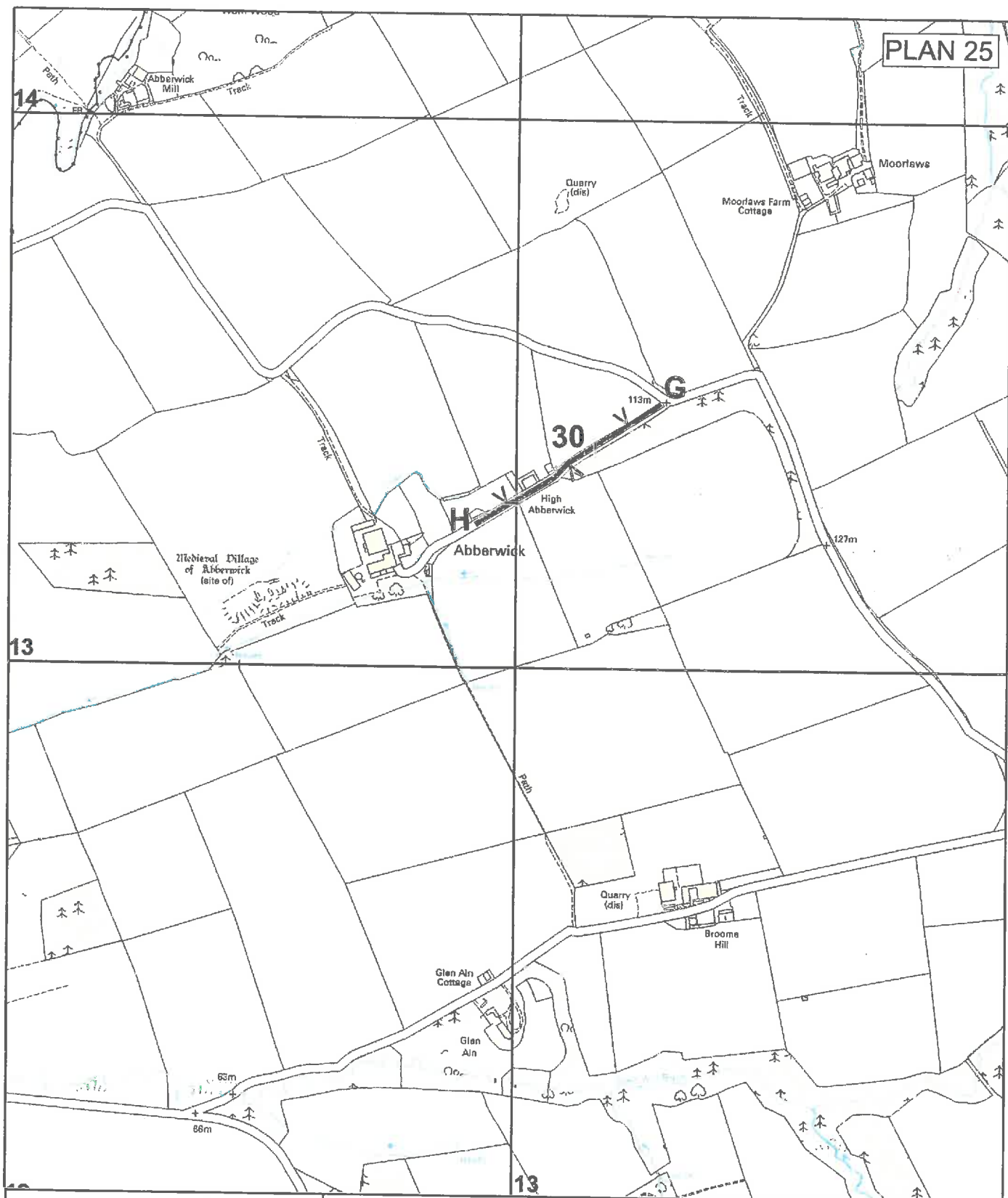
## 9. CONCLUSION

- 9.1 In light of the documentary evidence submitted, it appears that public vehicular rights have been reasonably alleged to exist over the route of alleged Byway Open to All Traffic No 30.
- 9.2 The Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motor vehicular rights over the route. It would be appropriate to recognize the public's rights over the route by recording it on the Definitive Map as a byway open to all traffic.

## BACKGROUND PAPERS

Local Services Group File: A/11/30z

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**Northumberland**

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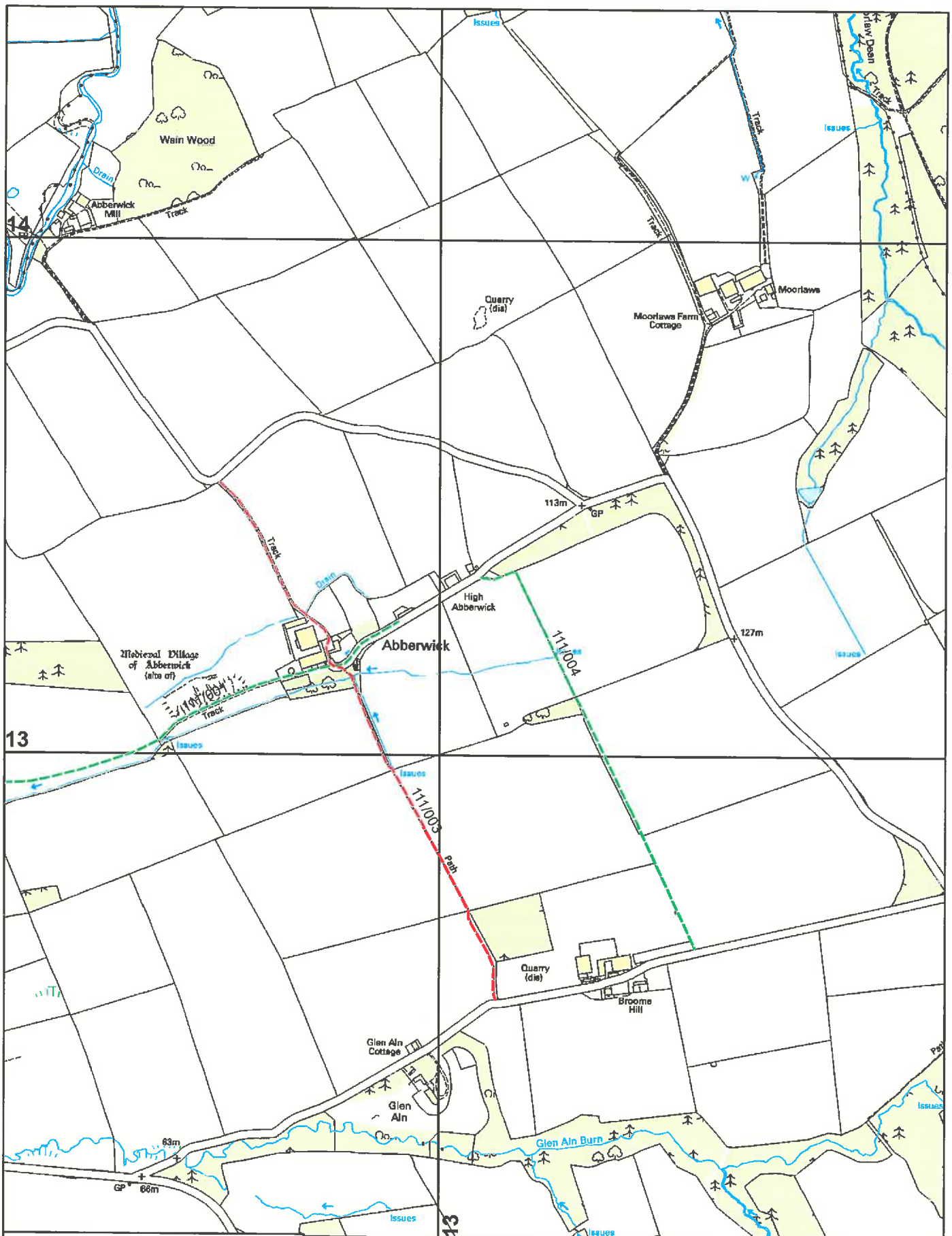
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## Wildlife and Countryside Act 1981 Public Rights of Way



Alleged Byway Open to All Traffic

Former District(s) Alnwick	Parish(es) Edlingham	Scale 1:10,000
Def. Map No. 57	O.S. Map NU 11 NW	Date October 2016



**Northumberland**  
County Council

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

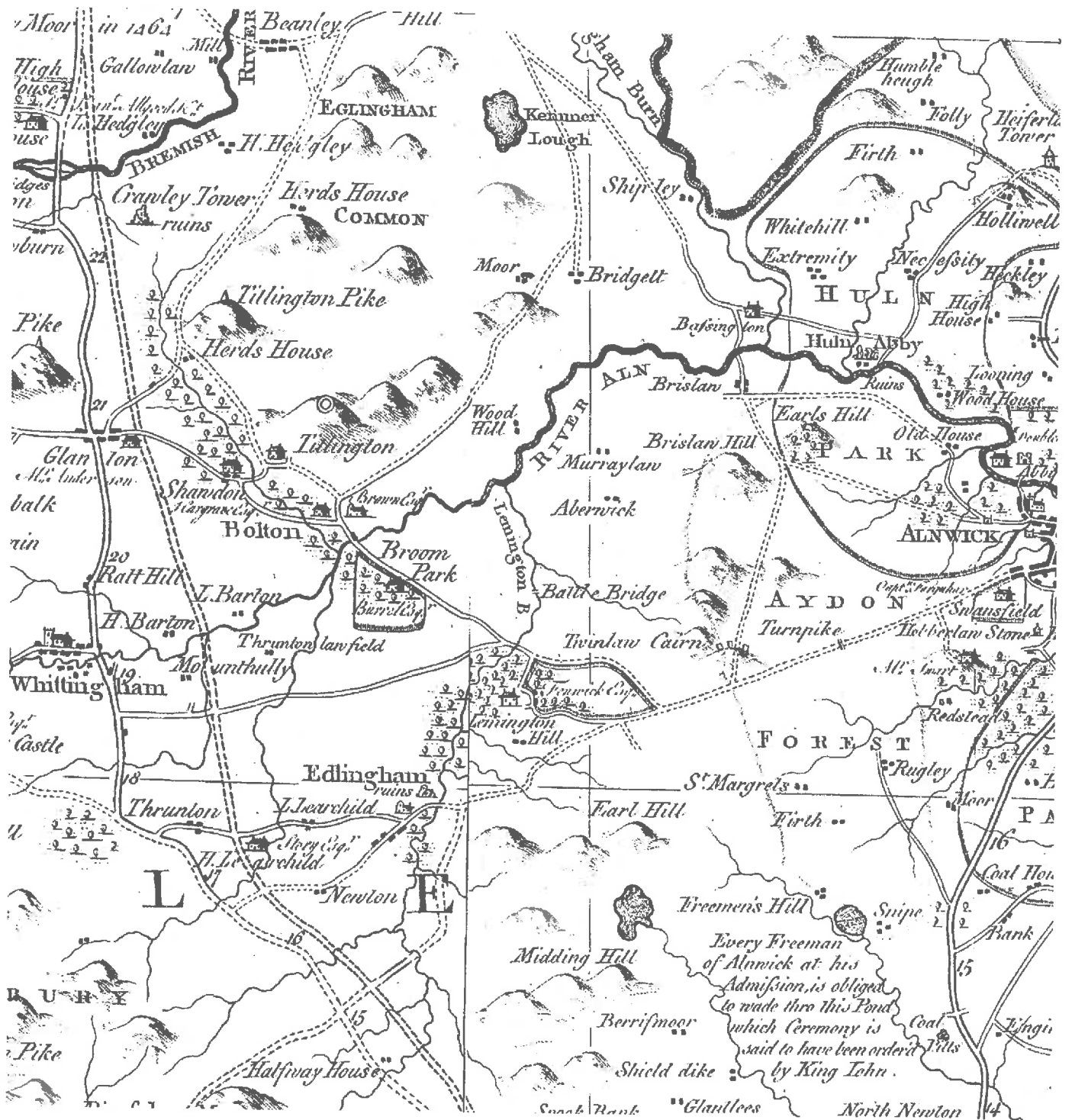
#### Legend

- 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

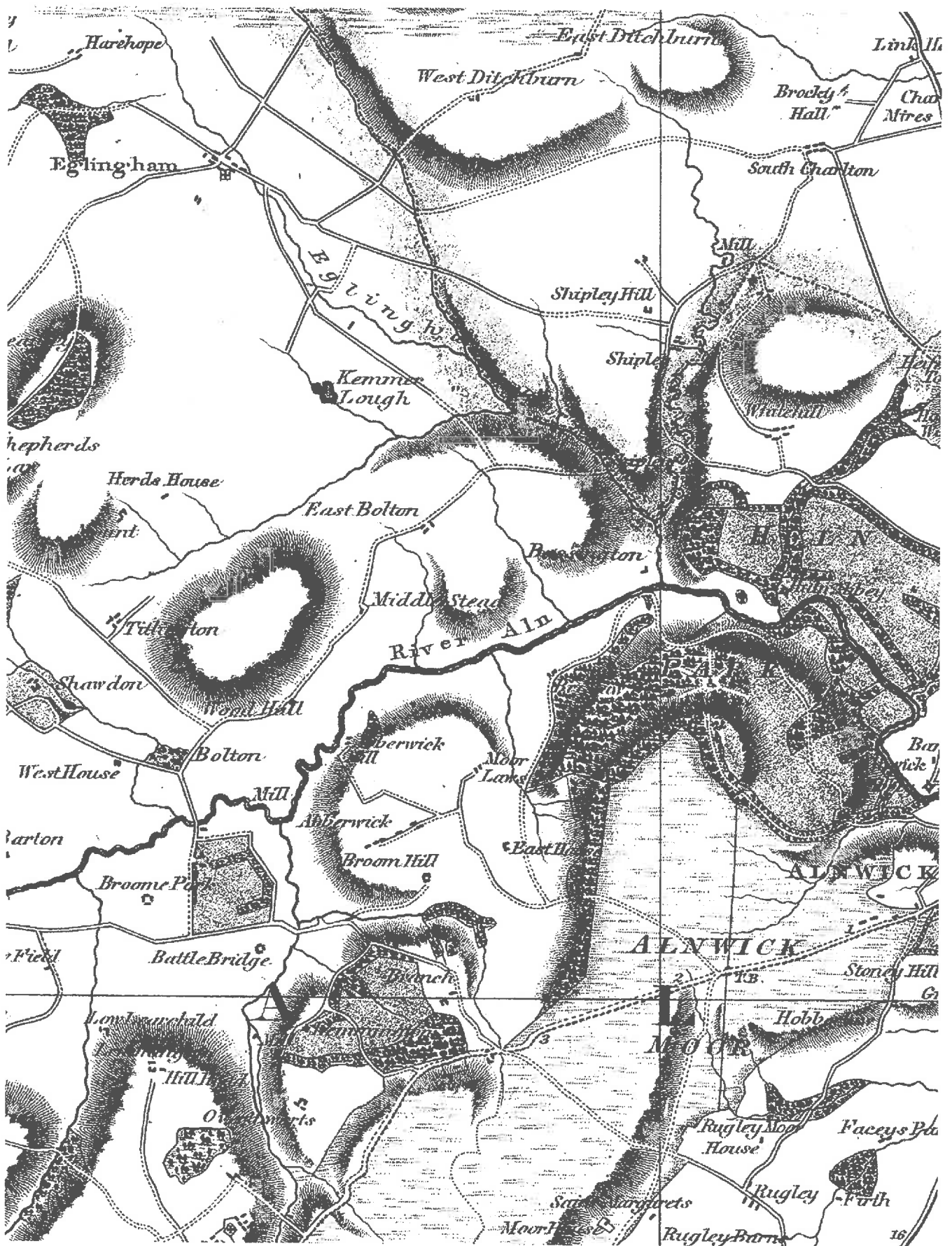
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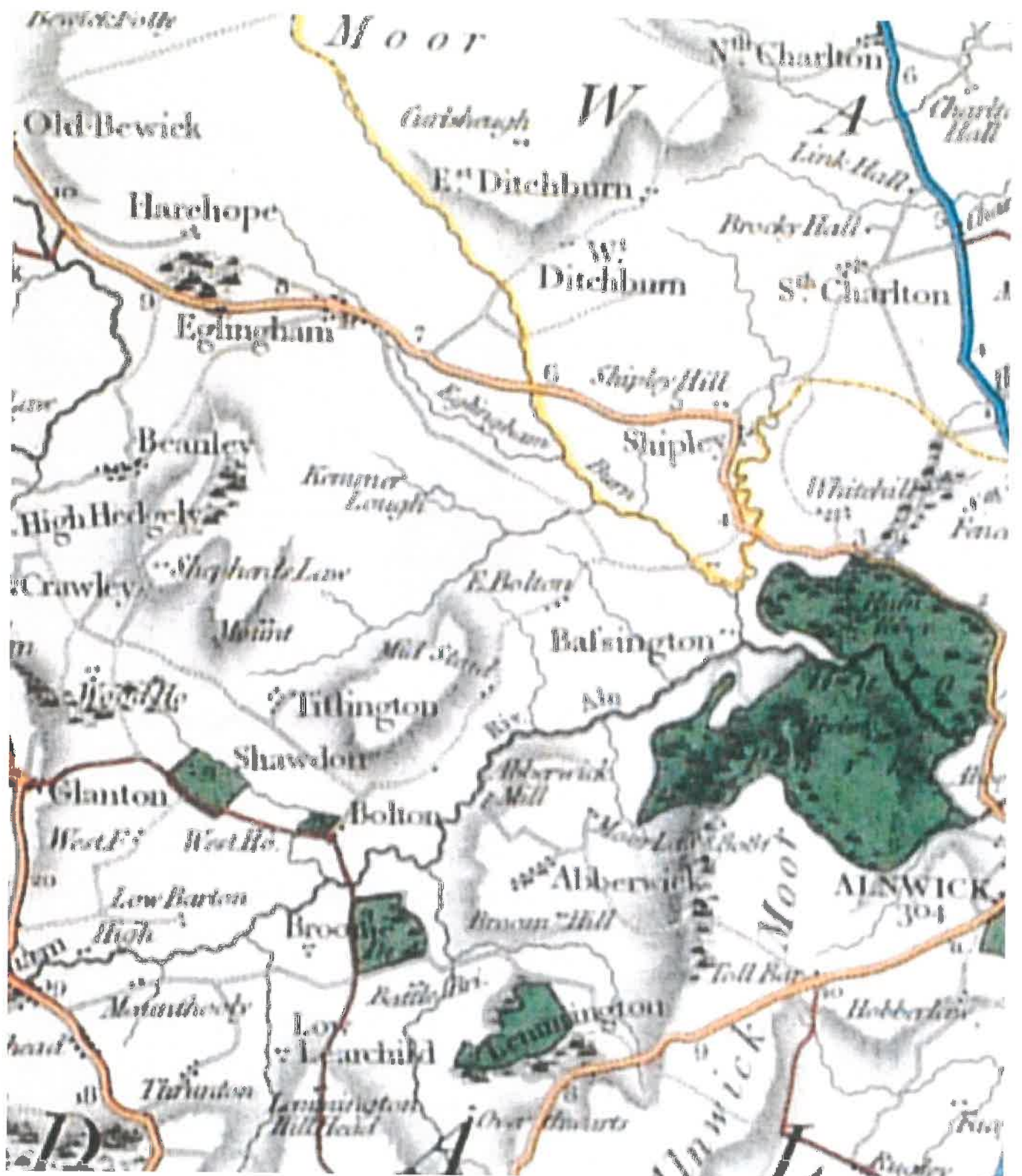




# Fryer's County Map 1820







Greenwood's County Map  
1828





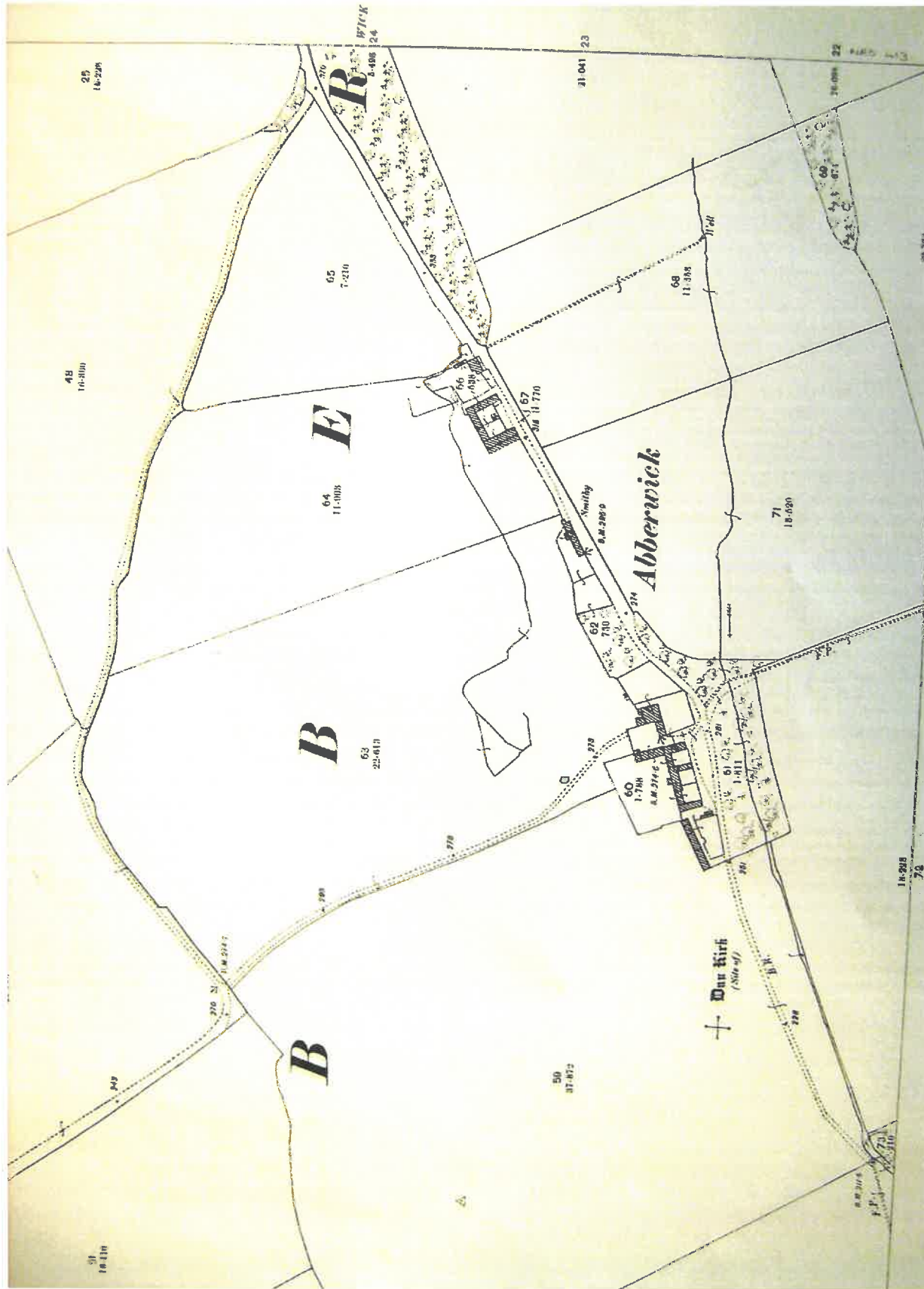
# Abberwick Tithe Award 1845







# 2nd Edition 25" O.S. Map 1897



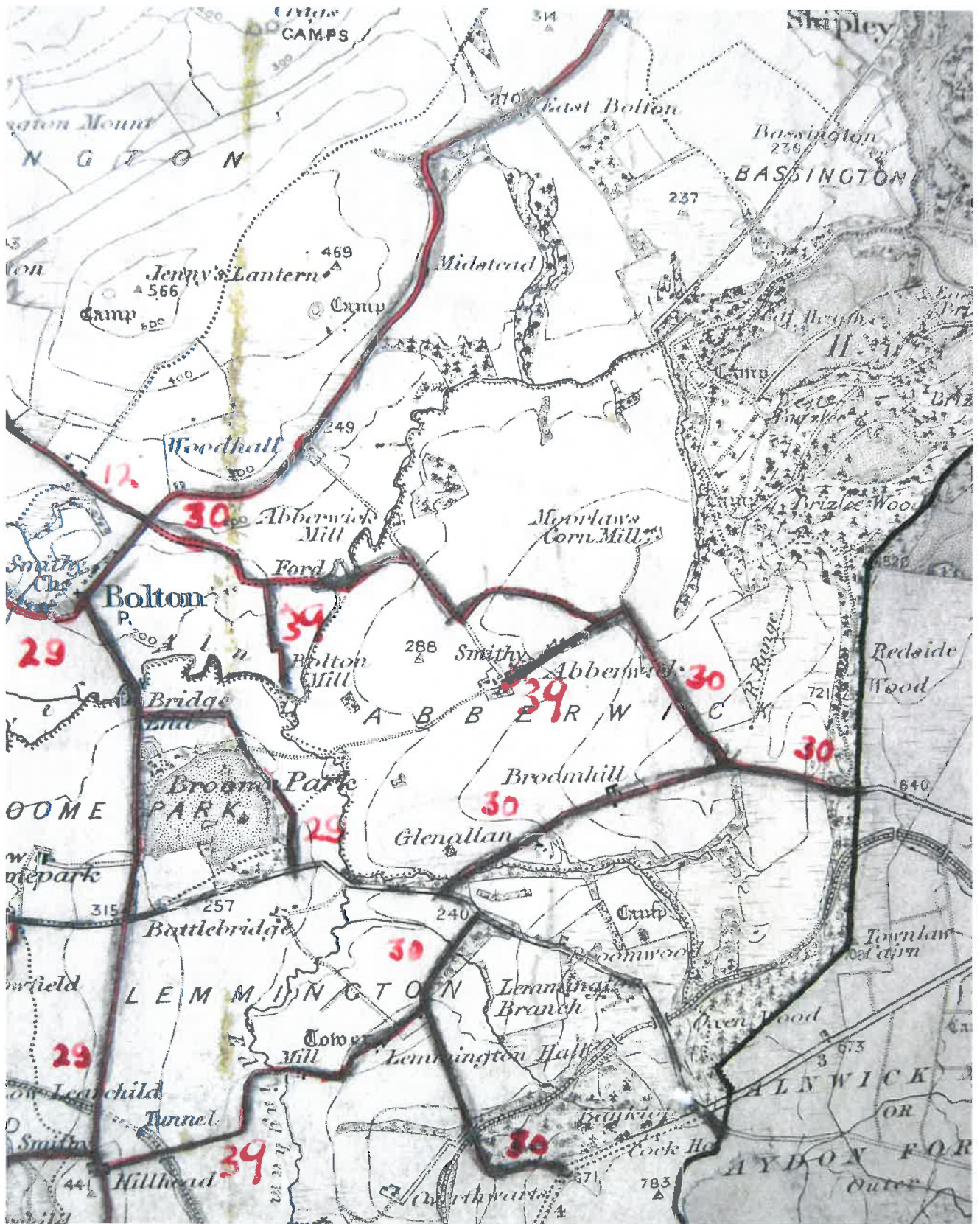








# Alnwick RDC Handover Map 1932





*Alnwick*

**ALNWICK RURAL DISTRICT  
COUNCIL**

**SCHEDULE  
OF  
REPUTED  
PUBLIC RIGHTS  
OF WAY**

GRANT'S PRINTING WORKS, ALNWICK.

# RURAL DISTRICT COUNCIL OF ALNWICK

## RIGHT OF WAY ACT, 1932

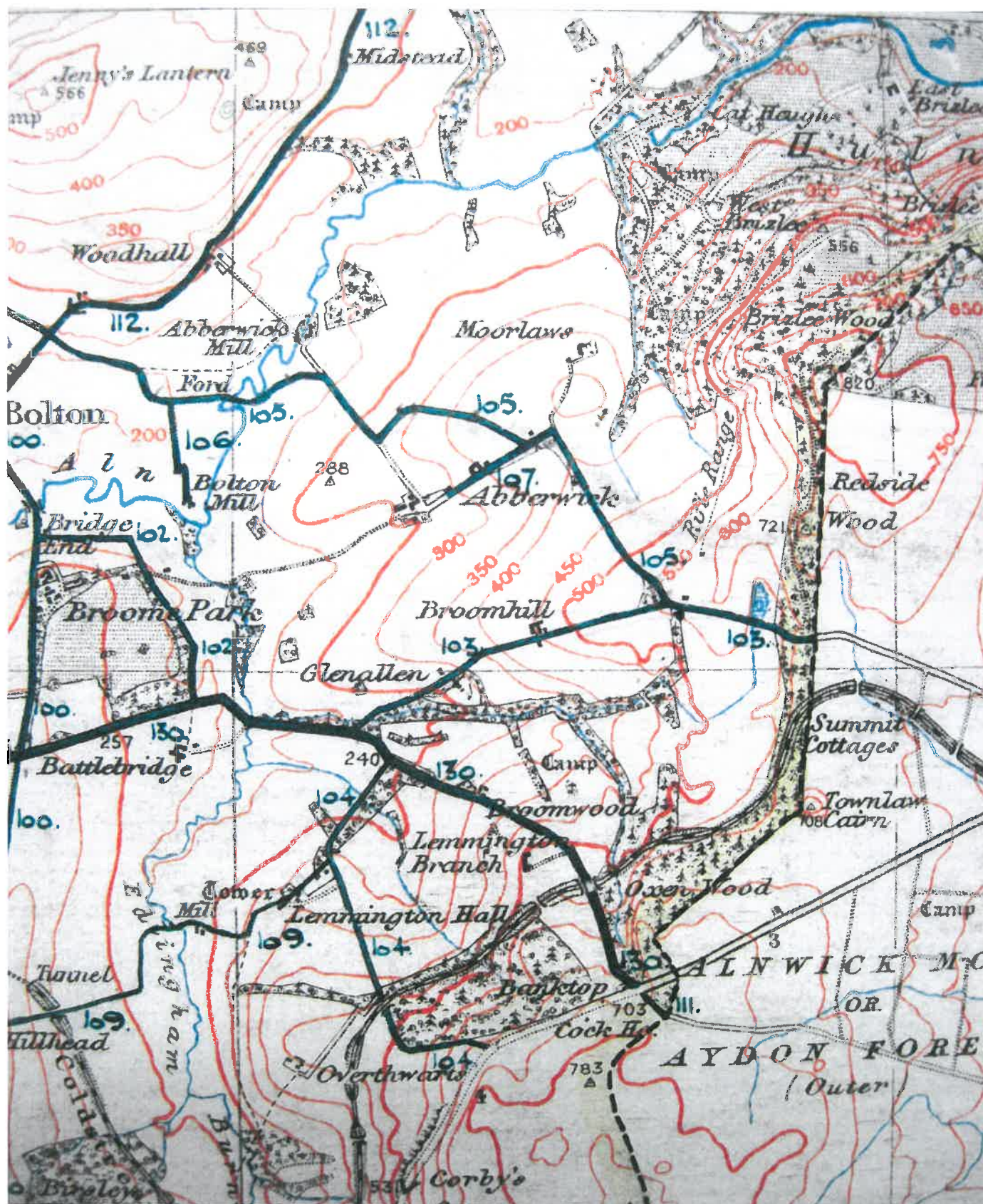
### SCHEDULE OF REPUTED PUBLIC RIGHTS OF WAY

*The field numbers referred to in the schedule are those contained in the Ordnance Survey Sheets, 1923 Edition.*

Right of No. Way.	Description.
<b>1. PARISH OF ABBERWICK.</b>	
1. F.	From footbridge over River Aln at the Bolton Parish running E. in field No. 41 to Abberwick Mill.
2. C.R.	From Abberwick Mill Ford running S.E. in field No. 41 to join public road to Abberwick.
3. F.	From N.W. corner of field No. 63 running S. to Abberwick Farm and thence through field Nos. 72, 70, and 83, to join public road at Glenallan Bank.
4. B.R.	From the Smithy to Abberwick Farm running W. through field Nos. 59 and 74 to the Broomepark Parish Boundary joining Bridle Road No. 1 in that Parish.
<b>2. PARISH OF ACKLINGTON.</b>	
1. F.	Acklington Station to High Park from public road opposite Auction Mart running in a N.W. then S.W. direction through Station Wood to the Acklington Park Parish Boundary, joining Footpath No. 4 in that Parish.
2. B.R.	Cheeveley to Chevington from the public road near Cheeveley running in a S.E. direction through field No. 22 passing under L.N.E.R. then through field No. 19 to the Morpeth Rural District Boundary.
3. F.	Acklington to Chevington from public road at Acklington running in a S. direction over road to Field House then through field Nos. 48, 50, and 53, to the Morpeth Rural District Boundary.
4. F.	Acklington to Togston from public road south of Chester House running in an E. direction through field Nos. 72, 79, and 78, to the Togston Parish Boundary joining Footpath No. 2 and Bridle Road No. 1 in that Parish.
5. F.	Acklington to Acklington Park from public road near Institute running in a N.W. direction through field Nos. 136 and 137 passing over L.N.E.R. then through field Nos. 138, 151, and 165, crossing Rake Lane and field No. 166, then W. through Morwick Banks Plantation and field No. 148, joining public road at Acklington Park.
6. B.R.	From public road to Low Park Road, known as Green Lane.
7. B.R.	Known as Rake Lane, from Main Road to Morwick Parish Boundary, joining Bridge Road No. 4 in that Parish.
8. F.	Acklington Park to Morwick from Footpath No. 5 running in a N.W. direction through field No. 166 to the Morwick Parish Boundary, joining Footpath No. 3 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





*Alnwick RD*

COUNTY OF NORTHUMBERLAND

## Restriction of Ribbon Development Act, 1935

LIST OF UNCLASSIFIED ROADS IN THE RURAL  
DISTRICT OF ALNWICK IN RESPECT OF WHICH  
THE PROVISIONS OF SECTION 1 OF THE  
RESTRICTION OF RIBBON DEVELOPMENT ACT  
1935 WERE ADOPTED ON 20TH JUNE 1937 BY  
RESOLUTION OF THE BRIDGES AND ROADS  
COMMITTEE ACTING UNDER DELEGATED POWERS.

- ✓ 87. Road from the Ambles-Togston Barns road at Togston East Farm southwards to a point 100 yds. north of the road leading to High Coldrife.
- ✓ 88. Road from a point on the Togston East Farm-South Broomhill road 200 yds. south of Togston East Farm to the coast at Togston Links.
- ✓ 89. Road from a point on the Felton-Longframlington road B.6345  $\frac{1}{2}$ -mile south west of Swarlandfence via Elyhaugh to the ford at the River Coquet.
- ✓ 90. Road from the Felton-Longframlington road B.6345 at Felton to St. Michael's Church, Felton.
- ✓ 91. Road from a point on the Morpeth-Alnwick road A.1 100 yds. north of Rushycap via Leamington Lane, Chesterhill, Black House and Shiel Dyke to its crossing of the Hampeth Burn near Freemanshill.
- ✓ 92. Road from the Morpeth-Alnwick road A.1 at Newton-on-the-Moor to the Rushycap-Shiel Dyke road at Black House.
- ✓ 93. Road from the Memorial Fountain south eastwards to the Newcastle-Berwick road A.1 at Newton-on-the-Moor.
- ✓ 94. Road from a point on the Rushycap-Shiel Dyke road 100 yds. south east of Black House via Overgrass to its crossing of the Swarland Burn near Newmoor Hall.
- ✓ 95. Road from a point on the Morpeth-Alnwick road A.1  $\frac{1}{2}$ -mile north of Hampeth Bridge to the Rushycap-Freemanshill road at Shiel Dyke.
- ✓ 96. Road from a point on the Newton-on-the-Moor to Black House road 400 yds. west of Newton-on-the-Moor Schools via the West Lodge of Newton Hall and Swarland Hall to the Felton-Longframlington road B.6345 at Swarland.
- ✓ 97. Road from a point on the Rushycap-Shiel Dyke road 600 yds. north west of Black House via Alnwick Fords to its crossing of the Swarland Burn on the road to Longframlington.
- ✓ 98. Road from a point on the Morpeth-Alnwick road A.1 200 yds. south of Deanmoor Cottages via Rugley Cottages to a point thereon 400 yds. north west of Rugley Cottages.
- ✓ 99. Road from a point on the Deanmoor-Lemington Bank road 200 yds. north west of Rugley Cottages via Rugley House to the entrance to Hobberlaw.
- ✓ 100. Road from a point on the Alnwick-Rothbury road B.6341 350 yds. north of Widehope Bridge via Edlingham, Hillhead, Broome Park and Bridge End to the Glanton-Bolton road at Bolton.
- ✓ 101. Road from a point on the Morpeth-Wooler road A.697  $\frac{3}{4}$ -mile north of Wandy Bridge via Newtown to a point on the Edlingham-Bolton road  $\frac{1}{2}$ -mile south of Edlingham Hut.
- ✓ 102. Road from the Bolton-Edlingham road at Bridge End via the east side of Broome Park to a point on the Alnwick-Whittingham road 350 yds. west of Battle Bridge.
- ✓ 103. Road from a point on the Alnwick-Whittingham road 500 yds. east of Battle Bridge via Glenallan and Broomhill to the eastern boundary of Redside Wood.
- ✓ 104. Road from a point on the Alnwick-Rothbury road B.6341  $\frac{1}{4}$ -mile south west of Banktop via Lemington Hall to the Alnwick-Whittingham road at the foot of Lemington Bank.
- ✓ 105. Road from a point on the Alnwick-Glenallan road 750 yds. east of Broomhill via Abberwick Ford, Tittington and Hedgeley Hall to a point on the Eglingham-Hedgeley station road  $\frac{3}{4}$ -mile south west of Beasley.

- ✓ 106. Road from a point on the Alnwick-Hedgeley Hall road 300 yds. west of Abberwick Ford to Bolton Mill.
- ✓ 107. Road from Abberwick to a point on the Alnwick-Hedgeley Hall road  $\frac{3}{4}$ -mile north of its junction with the Alnwick-Glenallan road.
- ✓ 108. Road from the Alnwick-Whittingham Road at the foot of Garminthedge Bank via Low Leachild and High Leachild to a point on the Morpeth-Wooler road A.697 400 yds. north of Leachild Moor House.
- ✓ 109. Road from the Edlingham-Bolton road at Hillhead via Lemington Mill to the Banktop-Lemington Bank road at Lemington Hall.
- ✓ 110. Road from the Edlingham-Bolton road at Hillhead to a point on the Garminthedge Bank-High Leachild road  $\frac{1}{4}$ -mile north east of High Leachild.
- ✓ 111. Road from the Alnwick-Rothbury road B.6341 at Banktop eastwards for a distance of 200 yds. along Red Road.
- ✓ 112. Road from a point on the Glanton-Great Ryle road 200 yds. west of Mile End via Glanton, Glanton station, Bolton and East Bolton to a point on the Alnwick-Wooperton road B.6346  $\frac{1}{2}$ -mile north west of Shipley Bridge.
- ✓ 113. Road from the Glanton-Bolton road at Shawdon Hall Lodge via Shawdon Hill to a point 300 yds. south west of its intersection with the Morpeth-Wooler road A.697.
- ✓ 114. Road from the Morpeth-Wooler road A.697 at Powburn via Glanton to the Glanton-Whittingham road at St. Mary's R.C. Church, Glanton.
- ✓ 115. Road from the Glanton-Bolton road at Glanton via Dean House and Beasley Wood House to a point on the Eglingham-Hedgeley Station road  $\frac{1}{2}$ -mile east of Beasley.
- ✓ 116. Road from the Morpeth-Wooler road A.697 at Powburn via Crawley Tower to a point on the Hedgeley-Tittington road 500 yds. south of Hedgeley Hall.
- ✓ 117. Road from the Alnwick-Wooperton road B.6346 at Eglingham via Beasley to the Morpeth-Wooler road A.697 at Hedgeley Station.
- ✓ 118. Road from a point on the Morpeth-Wooler road A.697 150 yds. north of Hedgeley West Cottages to Low Hedgeley.
- ✓ 119. Road from a point on the Glanton-Eglingham road  $1\frac{1}{4}$  miles north west of Dean House via Beasley to Waterside Plantation.
- ✓ 120. Road from the Alnwick-Wooperton road B.6346 at Eglingham via Tarry to a point thereon 500 yds. north east of the entrance to Tarry.
- ✓ 121. Road from Harehope to the Alnwick-Wooperton road B.6346 at Harehope East Lodge.
- ✓ 122. Road from Tittington Farm to the Hedgeley-Alnwick road.
- ✓ 123. Road from a point on the Alnwick-Wooperton road B.6346  $\frac{1}{2}$ -mile east of Eglingham Church via Eglinghamhill and West Ditchburn to a point on the Alnwick-Wooperton road B.6346  $\frac{3}{4}$ -mile north west of Shipley Bridge.
- ✓ 124. Road from a point on the Shipley-Charlton Mires road B.6347 700 yds. south west of Charlton House via Whitehouse Folly to a point on the Alnwick-Eglingham road B.6346  $\frac{3}{4}$ -mile south east of Shipley Bridge.
- ✓ 125. Road from East Ditchburn to the Shipley-Charlton Mires road B.6347 at South Charlton.



This is a detailed historical map of the Bolton and Basington area. The map shows the River Bolton flowing through the region, with several towns and villages marked, including Bolton, Basington, and the River Bolton. The map is overlaid with a grid of U.S. Army units, including U.3055, U.3057, U.3058, U.3059, and U.3060. Key locations include Bolton, Basington, and the River Bolton. The map also shows various roads, bridges, and landmarks like Jenny's Lantern and the Bolton Mill.

# 1958 County Road Schedule

## ALNWICK DIVISION

### Unclassified Roads in Alnwick Rural District

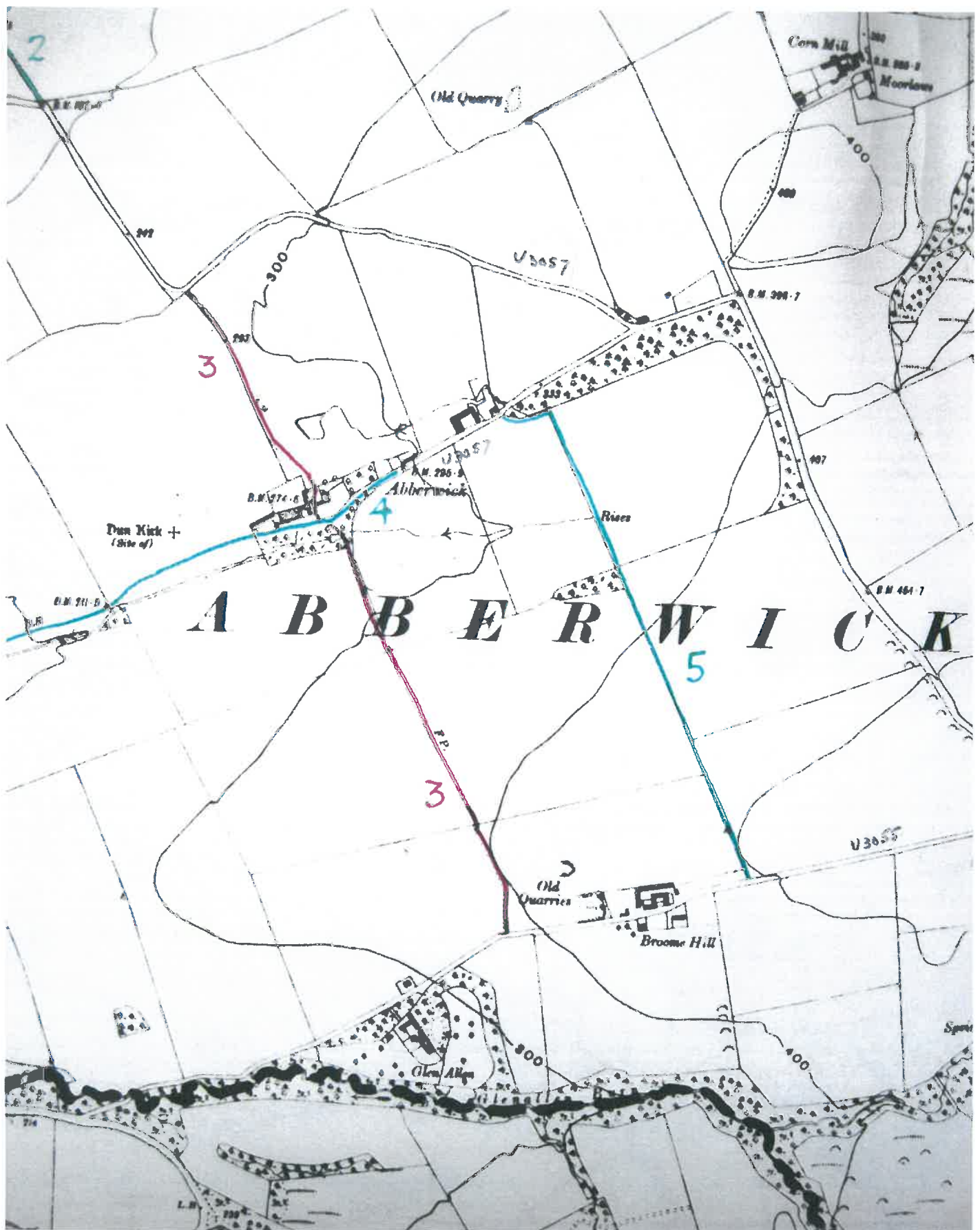
			Brought Forward	48.967
U.3054	Wandy Bridge - Edlingham.	From A.697 near Wandy Bridge via Newtown to C.89 near Edlingham.	1.72	
U.3055	Glenallan - Broomhill and Hawden Grange Road	From C.90 near Battle Bridge via Glenallan Broomhill and Redside Wood to B.6341 near Hawden Grange. (Urban 0.98 - Rural 1.50)	2.48	
U.3056	Lemington Hall Road	From C.90 at Lemington Bank via Lemington Hall to B.6341 near Banktop.	1.23	
U.3057	Bolton - Abberwick Road	From C.85 near Bolton via Abberwick Ford to U.3055 east of Broomhill including Bolton Mill Road and Abberwick Road.	3.05	
U.3058	Garminthedge Bank - Learchild Moor Road	From C.90 near Garminthedge Road via Low Learchild to A.697 near Learchild Moor House.	1.36	
U.3059	Learchild - Lemington Hall Road	From U.3058 near High Learchild crossing Class C.89 at Hillhead via Lemington Mill to U.3056 near Lemington Hall.	1.78	
U.3061	Shawdon Hill - Rothill Road	From A.697 near Shawdon Hill south-west to R.D. boundary.	0.15	
U.3069	White House Folly Road	From B.6347 near Cherlton House via White House Folly to B.6346	1.50	
U.3071	South Charlton - Heiferlaw Bank Road.	From B.6347 South Charlton via Humbleheugh to A.I. at Heiferlaw Bank.	1.76	
U.3074	Hipsburn Crescent Lesbury		0.08	
U.3075	Devison Avenue, Felton.		0.114	
U.3076	Falldon Avenue and cul-de -sac Shilbottle.		0.108	
U.3077	Acklington Broomhill Old Road	From B.6345 at Acklington to C.104, east of Acklington.	0.106	
		Forward		64.405 miles



# Survey Map

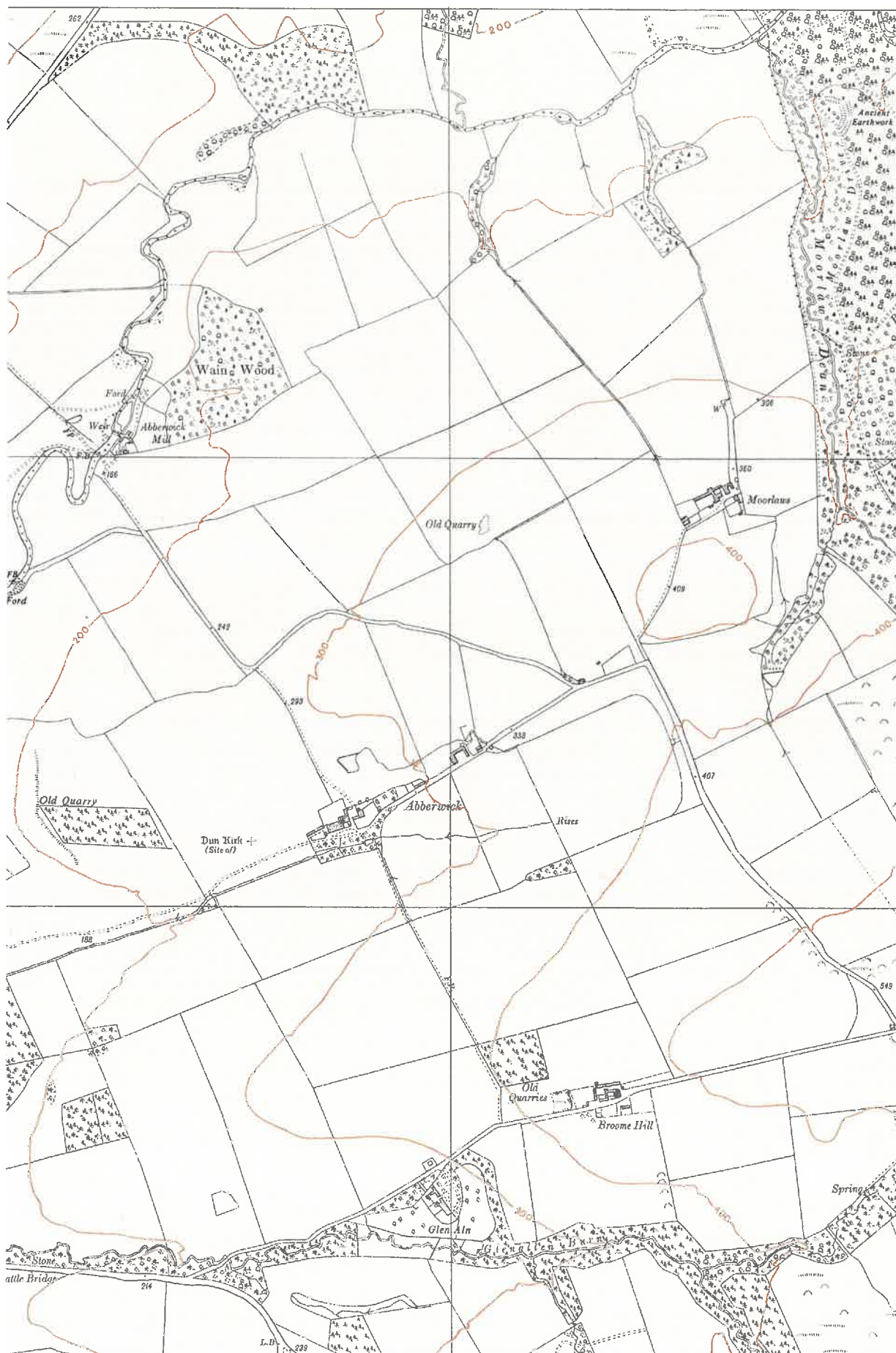






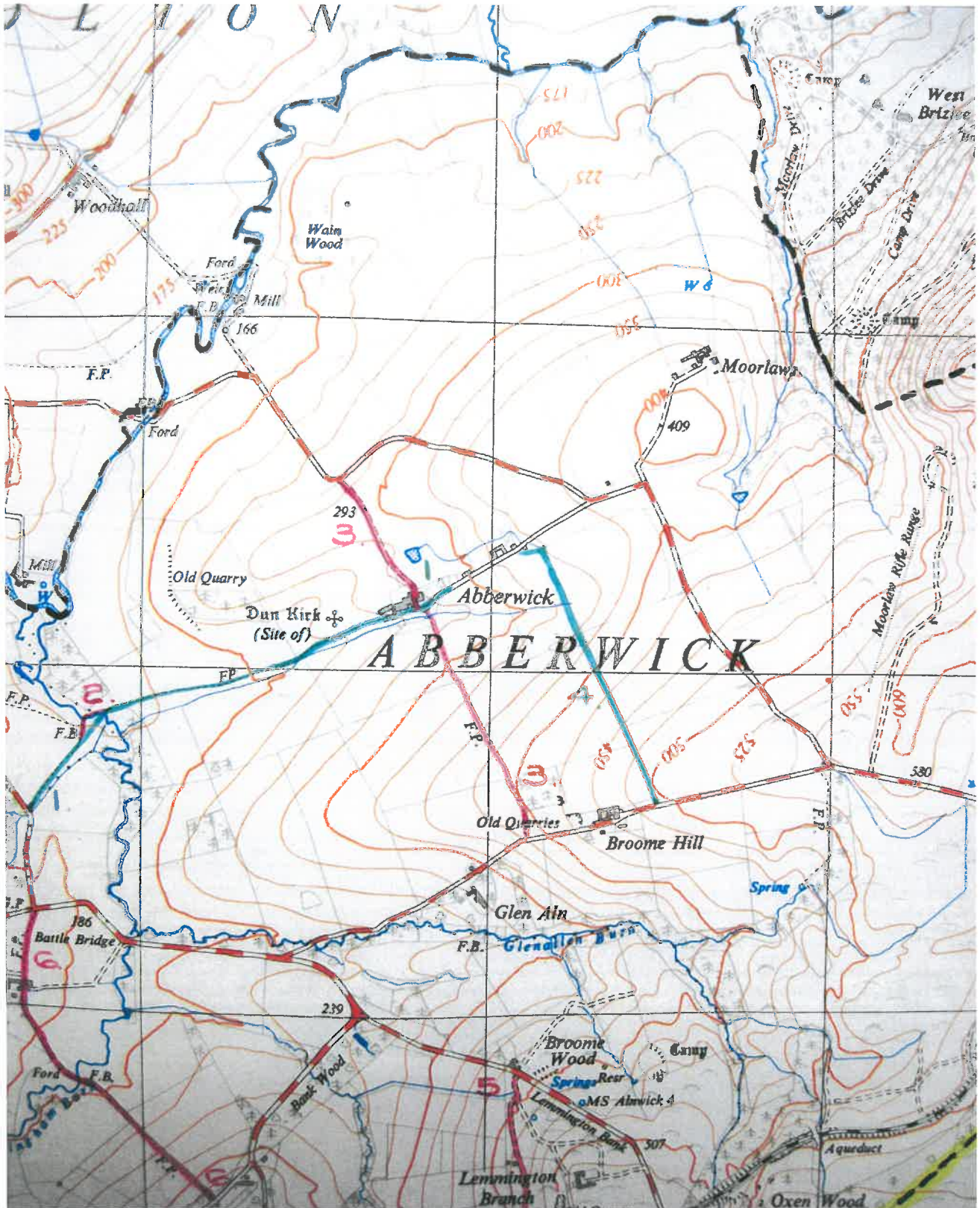
# Provisional Map







## 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 ..... EDLINGHAM
3. Number of Footpath on Map ..... 1.
4. Name of Path .....
5. Kind of Path (i.e. FP/BR) ..... B.R.
6. General Description of Path ..... From the public road at Abberwick in a  
south-westerly direction across the Eglington Burn to join the Bolton -  
Lemington Hall road opposite Broome Park.  
.....  
.....  
.....
7. Other relevant information .....  
.....  
.....  
.....  
.....  
.....

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 ..... **EDLINGHAM**
3. Number of Footpath on Map ..... **4.**
4. Name of Path .....
5. Kind of Path (i.e. FP/BR) ..... **B.R.**
6. General Description of Path **From the Battle Bridge - Howden Grange road..**  
**east of Broome Hill in a north-westerly direction to join the public road to..**  
**Abberwick.** .....  
.....  
.....  
.....
7. Other relevant information .....  
.....  
.....  
.....  
.....  
.....

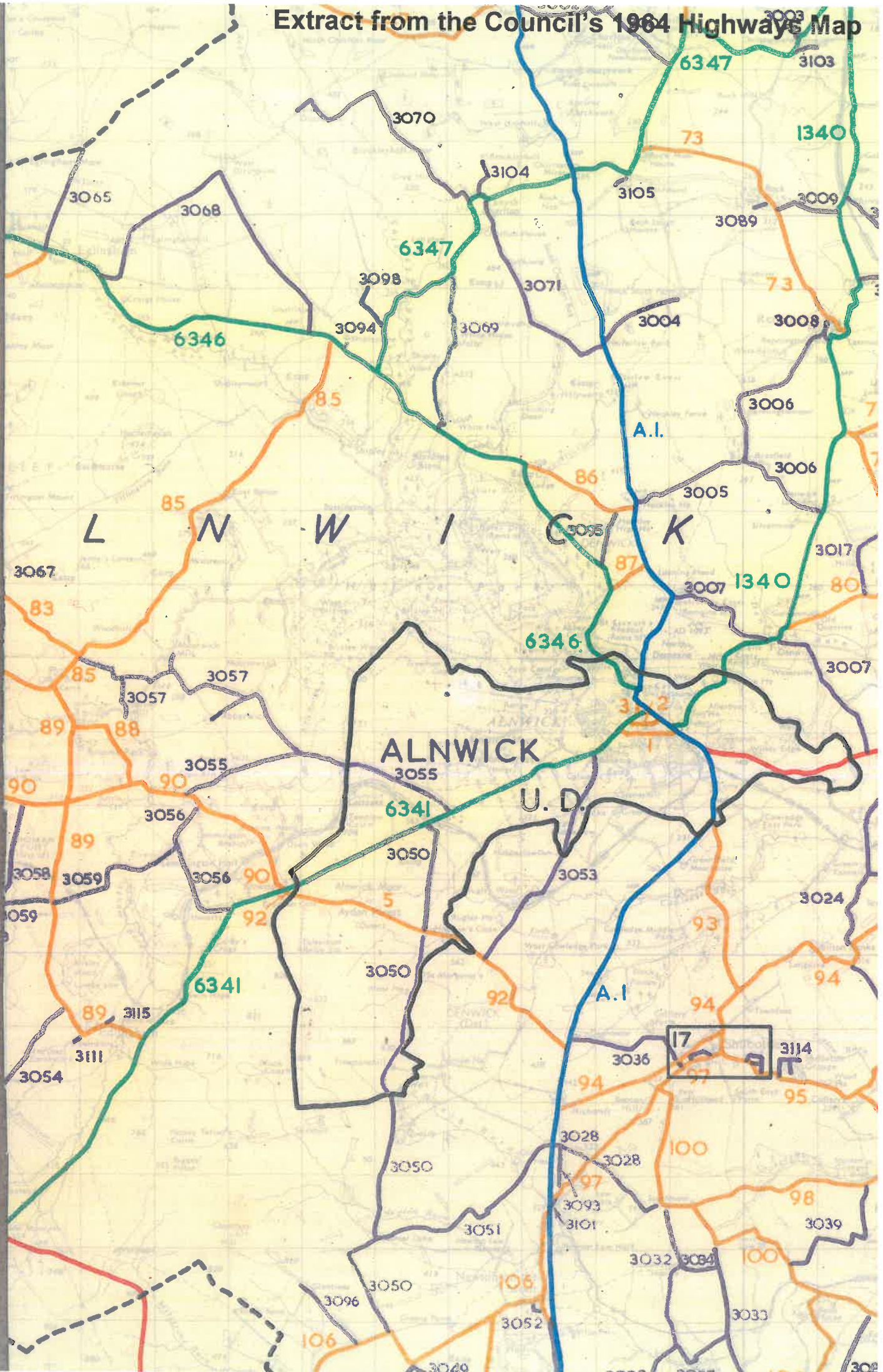
# 1964 County Road Schedule

- 81 -

<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.3049	Newmoor Hall-Overgrass-Rushycap Road.	From Rural District boundary at Newmoor Hall via Overgrass, crossing C.390 near Chester Hill to A.1 at Rushycap. (Continues in Rothbury Rural District as U.4043).	Alnwick.		2.35
U.3050	Hawdon Grange-Black House Road.	From B.6341 near Hawden Grange southwards via St. Margaret's and Shiel Dyke to C.106 near Black House. (Urban 2.42 - Rural 2.36).	Alnwick.		4.78
U.3051	Shiel Dyke-Hampeth Road.	From U.3050 at Shiel Dyke north-eastwards to A.1 near Hampeth Bridge. (Reduced for diversion).	Alnwick.		1.97
U.3052	Newton-on-the-Moor Road.	From C.106 at Memorial Fountain to rejoin C.106 at Newton-on-the-Moor.	Alnwick.		0.10
U.3053	Rugley Road.	From C.92 near Rugley Cottage, north-eastwards via Rugley to B.6341 at Clayport Bank Top, Alnwick. (Urban 0.94 - Rural 1.14).	Alnwick.		2.08
U.3054	Wandy Bridge-Edlingham.	From A.697 near Wandy Bridge north-eastwards via Newtown to C.89 near Edlingham.	Alnwick.		1.72
U.3055	Glen Aln-Broom Hill and Hawden Grange Road.	From C.90 near Battle Bridge eastwards via Glen Aln, Broom Hill and Redside Wood to B.6341 near Hawden Grange. (Urban 0.98 - Rural 1.50).	Alnwick.		2.48
U.3056	Lemington Hall Road.	From C.90 east of Battle Bridge southwards via Lemington Hall to B.6341 near Lemington Banktop.	Alnwick.		1.23
U.3057	Bolton-Abberwick Road.	From C.85 near Bolton via Abberwick Ford to U.3055 east of Broom Hill, including Bolton Mill Road, (580 yards), Abberwick Road, (460 yards) and Abberwick Mill Road, (170 yards).	Alnwick.		3.09
U.3058	Garminthedge Bank-Learchild	From C.90 near Garminthedge Bank southwards via Low Learchild to A.697 near Learchild Moor House.	Alnwick.		1.36
U.3059	Learchild-Lemington Hall	From U.3058 near High Learchild crossing C.89 at Hillhead via Lemington Hill to U.3056 near Lemington Hall.	Alnwick.		1.78



**Extract from the Council's 1964 Highways Map**

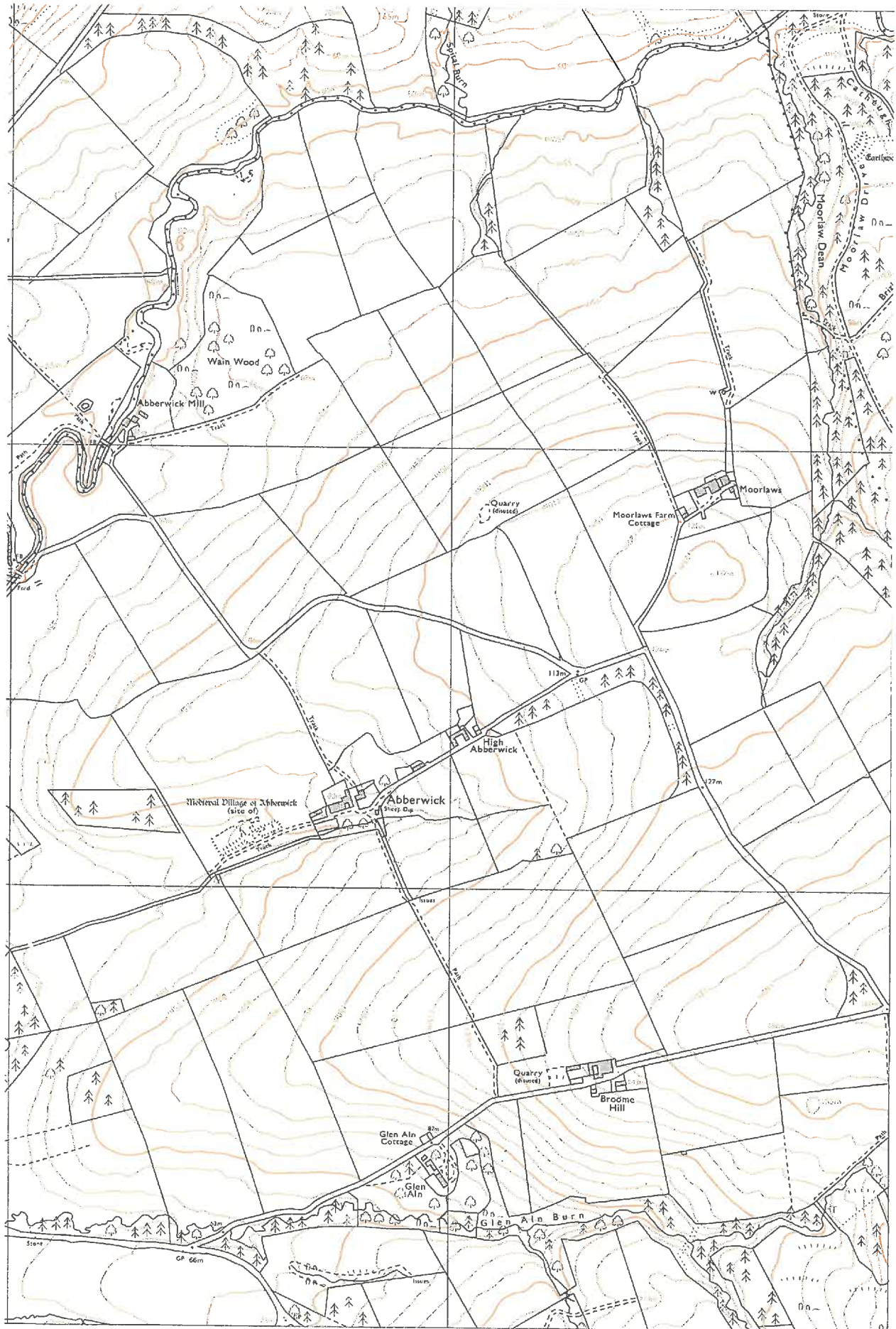




# 1974 County Road Schedule

Route No.	Name of Road	Description	Responsible Division or Authority	Mileage	Total Mileage
U. 3051	Shiel Dyke-Hampeth Road.	From U. 3050 at Shiel (NU. 150062) north-eastwards to join A.1 near Hampeth Bridge (NU. 174074).	Alnwick Division.		1.97
U. 3052	Newton-on-the-Moor Road.	From C. 106 at Memorial Fountain (NU. 172053) southwards and eastwards to rejoin C. 106 at Newton-on-the-Moor (NU. 173052).	Alnwick Division.		0.10
U. 3053	Rugley Road.	From C. 92 near Rugley Cottage, (NU. 165099) north-eastwards via Rugley to B. 6341 at Clayport Bank Top, Alnwick (NU. 180127).	Alnwick Division.		2.08
U. 3054	Wandy Bridge-Edlingham.	From A. 697 near Wandy Bridge (NU. 093071) north-eastwards via Newtown to C. 89 near Edlingham (NU. 107093).	Alnwick Division.		1.72
U. 3055	Glen Aln-Broom Hill and Hawden Grange Road.	From C. 90 near Battle Bridge (NU. 124122) eastwards via Glen Aln, Broom Hill and Redside Wood to B. 6341 near Hawden Grange (NU. 160119).	Alnwick Division.		2.48
U. 3056	Lemington Hall Road.	From C. 90 east of Battle Bridge (NU. 126120) southwards via Lemington Hall to B. 6341 near Lemington Banktop (NU. 131106).	Alnwick Division.		1.23
U. 3057	Bolton-Abberwick Road.	From C. 85 near Bolton (NU. 110140) eastwards via Abberwick Ford to U. 3055 east of Broom Hill (NU. 139127) including Bolton Mill Road, (580 yards), Abberwick Road, (460 yards) and Abberwick Mill Road, (170 yards).	Alnwick Division.		3.09
U. 3058	Garminctedge Bank-Learchild.	From C. 90 near Garminctedge Bank (NU. 103120) southwards via Low Learchild to A. 697 near Learchild Moor House (NU. 094103).	Alnwick Division.		1.36
U. 3059	Learchild-Lemington Hall.	From U. 3058 near High Learchild (NU. 099106) eastwards crossing C. 89 at Hillhead via Lemington Hill to U. 3056 near Lemington Hall (NU. 123114).	Alnwick Division.		1.78

1:10,000 O.S. Map  
1977





# Ordnance Survey Explorer Map 332

1:25,000  
(2005)





**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>U3057</b>		
	BOLTON MILL ROAD TO ABBERWICK MILL	774
	ABBERWICK MILL ROAD TO ABBERWICK R	1,192
	ABBERWICK ROAD TO U3055 JCT	1,169
	U3057 TO ABBERWICK MILL	213
	U3057 TO ABBERWICK	422
	U3057 TO BOLTON MILL	527
	C85 JCT TO BOLTON MILL ROAD	773
	<i>Total length for U3057</i>	<i>5,070</i>
<b>U3058</b>		
	A697 JCT TO U3059 JCT	855
	U3059 JCT TO C90 JCT	1,425
	<i>Total length for U3058</i>	<i>2,279</i>
<b>U3059</b>		
	U3058 JCT TO C89 JCT	739
	C89 JCT TO U3056 JCT	2,217
	<i>Total length for U3059</i>	<i>2,956</i>
<b>U3060</b>		
	A697 JCT TO C85 JCT	908
	<i>Total length for U3060</i>	<i>908</i>
<b>U3061</b>		
	C90 JCT TO A697 JCT	2,013
	<i>Total length for U3061</i>	<i>2,013</i>
<b>U3062</b>		
	A697 JCT TO C83 JCT	1,456
	<i>Total length for U3062</i>	<i>1,456</i>
<b>U3063</b>		
	A697 JCT TO LOW HEDGLEY	489

