



# Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL  
RIGHTS OF WAY SUB-COMMITTEE  
17 December 2019

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

### ALLEGED BYWAY OPEN TO ALL TRAFFIC No 28 PARISH OF RENNINGTON

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 U3105 road, from the B6347 road north of Rock Midstead, southwards to a junction with Public Footpath No 4, at Rock Midstead.

#### **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 C-D;**
- (ii) there is sufficient evidence to indicate that, on a balance of probabilities, public vehicular rights have been shown to exist over the route D-E;**
- (iii) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorized vehicular rights over the route;**
- (iv) 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 Alternatively, in a case where the route is already shown on the Definitive Map as a highway of a lesser status (as is the case with the D-E part of this route) then 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.

## **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

'U3105" 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 U3105 unclassified County road based upon more than simply its inclusion in the List of Streets.

### **3. LANDOWNER EVIDENCE**

- 3.1 To date, no landowner responses have been received, though Rock Farms Limited did indicate that they wished to have discussions relating to the linking public footpath.

### **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 emails in March, April and May 2018, Ms S Rogers responded to the omnibus consultation, on behalf of the British Horse Society, but this was one of the few proposals she did not comment upon.

## 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 / track approximating to the route of alleged Byway No 28.

1820 Fryer's County Map

Although Rock Midstead exists (identified as "Middle Stead"), there is no evidence of a road / track approximating to the route of alleged Byway No 28.

1827 Cary's Map

Although Mid Stead exists on the map, there is no evidence of a road / track approximating to the route of alleged Byway No 28.

1828 Greenwood's County Map

There is clear evidence of a road or track over the route of alleged Byway No 28 (and also its southerly continuation).

c.1865 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track over the route of alleged Byway No 28.

1897 Ordnance Survey Map: Scale 1:2500

There is clear evidence of an enclosed road / track over the route of alleged Byway No 28.

Finance Act 1910 plan

There is clear evidence of an enclosed road / track over the route of alleged Byway No 28. The route is not identified as being separate from the adjacent land by coloured boundaries. If it had been, this would have been a good indication that the road was considered to be public at that time.

1926 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track over the route of alleged Byway No 28.

1932 Alnwick RDC Handover Map

The route of alleged Byway Open to All Traffic No 28 is not coloured so as to identify it as a publicly maintainable road.

c.1938 Restriction of Ribbon Development Act 1935 Map

The route of alleged Byway Open to All Traffic No 28 exists on the base map, but it is not coloured so as to identify it as a publicly maintainable road to be protected from ribbon development.

1951 Highways Map

The route of alleged Byway Open to All Traffic No 28 is coloured so as to identify it as a publicly maintainable road. It is labelled as being the "U3105". This labelling is in red pen (not black, as with the other labelling) which suggests this was a later addition.

c.1952 Definitive Map – original Survey Schedules & Map

The route of alleged Byway Open to All Traffic No 28 exists on the base map. The D-E section is identified as being part of a public footpath (numbered 4). The C-D section is not identified for inclusion as a public right of way, nor is it coloured brown. Known public roads were generally coloured brown to indicate what the extent of the road network was considered to be.

Draft Map

The route of alleged Byway Open to All Traffic No 28 exists on the base map. The D-E section is identified as being part of a public footpath (numbered 4). The C-D section is not identified for inclusion on the Definitive Map as either a public footpath, public bridleway or Road Used as a Public Path (RUPP).

Provisional Map

The route of alleged Byway Open to All Traffic No 28 exists on the base map. The D-E section is identified as being part of a public footpath (numbered 4). The C-D section is not identified for inclusion on the Definitive Map as either a public footpath, public bridleway or Road Used as a Public Path (RUPP).

1965 Highway Dedication

On 9th December 1956, Charles Ion Carr Bosanquet of Rock "dedicated to the use of the public as a highway that portion of land between the Shipley to Christonbank Road B6347 and Rock Midstead Farm which is coloured red hereon as from to-day's date." The route of the U3105 road, between Points C-D-E (i.e. alleged Byway Open to All Traffic No 28), is the land which is coloured in red.

1957 Ordnance Survey Map: Scale 1:10,560

There is clear evidence of an enclosed road / track over the route of alleged Byway No 28.

1962 Original Definitive Map

The route of alleged Byway No 28 exists on the base map. The D-E section is identified as being part of Public Footpath No 4. The C-D section is not identified as a public footpath, public bridleway or Road Used as a Public Path (RUPP), despite this being a short link to the B6347 road.

1964 Highways Map

The route of alleged Byway Open to All Traffic No 28 is coloured so as to identify it as a publicly maintainable road. It is labelled as being the "U3105".

1978 Ordnance Survey Map: Scale 1:10,000

There is clear evidence of an enclosed road / track over the route of alleged Byway No 28.

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

There is clear evidence of a mainly unenclosed track over the route of alleged Byway No 28. The route is marked with a single green dot, signifying that it is an "Other route with public access" (i.e. ORPA).

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 U3105 road, in the 1958 County Road Schedule, states:

"U3105 Rock Midstead Farm Road  
From the B6347 at a point 300 yards east of Drythropple  
south-westwards to Rock Midstead Farm Cottages for 180 yards."

The length of the U3105 road is identified as 0.102 miles.

5.3 The entry for the U3105 road, in the 1964 County Road Schedule, states:

"U3105 Rock Midstead Farm Road  
From the B6347 at a point 300 yards east of Drythropple  
south-westwards to Rock Midstead Farm Cottages for 180 yards."

The length of the U3105 road is identified as 0.10 miles.

5.4 The entry for the U3105 road, in the 1974 County Road Schedule states:

"U3105 Rock Midstead Farm Road  
From the B6347 at a point 300 yards east of Drythropple (NU 185206)  
south-westwards to Rock Midstead Farm Cottages for 180 yards."

The length of the U3105 road is identified as 0.10 miles.

- 5.5 The Council's Bridges and Roads Committee considered this route in 1955. The minutes of the 19 December 1955 Committee state:

“(6) Alnwick Rural District - Private Streets  
Road to Rock Midstead Farm.

Mr A Sutherland, Rock Farms, has asked for the road to be taken over. It serves four agricultural dwellings and the farmhouse and leads to two other farms and two more dwellings.

I recommend that, subject to the road being repaired in a satisfactory manner, the length of road to the four agricultural dwellings be adopted.

The decision of the Committee is stated as “That subject to the road being repaired to the satisfaction of the County Surveyor it be taken over as a highway repairable by the inhabitants at large and that the necessary notices be signed by the Clerk of the Council and fixed up thereon pursuant to Section 19 of the Private Street Works Act, 1892.”

- 5.6 The original Definitive Statement for the public right of way intersecting with (and also forming part of) the alleged byway open to all traffic states:

Public Footpath No 4

“From the Alnwick - Belford road at Rock Lodge in a north-easterly and easterly direction along the southern boundary of the Avenue by Rock Midstead to join Rennington - Rock Moor House road at Rock.”

## **6. SITE INVESTIGATION**

- 6.1 From Point C on the B6347 road, 140 metres north of Rock Midstead Farmhouse, one 4.2 metre wide tarmac / stone surfaced track and another 5 metre wide tarmac / stone surfaced track proceed in a general southerly direction, converging over a distance of 20 metres. A 4.5 metre wide unenclosed tarmac road then continues in a south-westerly direction for a distance of 30 metres. Thereafter, a 3.6 to 4.2 metre wide tarmac road, within a 9 metre wide corridor continues in a south-westerly direction for 75 metres. Then a 3.6 metre wide tarmac / stone surfaced track in a 6.7 metre wide corridor, proceeds in a westerly direction for a distance of 50 metres, to a point 35 metres north of number 1 Rock Midstead Cottages.

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

- 7.1 In November 2019, a draft copy of the report was circulated to those landowners / occupiers who responded to the initial consultation for their comments. Mr Tuer telephoned, on behalf of Rock Farms Limited, indicating that the Estate's view regarding the extent of the public road agreed with the County Council's.

## **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 28 is identified on the County Council’s current List of Streets as being the U3105 road. The route was not identified as being publicly maintainable on the 1932 Alnwick Rural District Council Handover Map, or on the map and schedule of roads produced in relation to the Restriction of Ribbon Development Act 1935. The route was the subject of a highway dedication, by the landowner, in December 1956. The whole route then appears to have been identified on both the Council’s 1951 Highways Map and the later 1964 Highways Map (on the 1951 map the colour of the labelling suggests that this was a later - presumably post December 1956 - addition). It was also included in the 1958, 1964 and 1974 County Road Schedules.
- 8.5 The route has been consistently identified as a mainly enclosed road / track on Ordnance Survey maps since c.1865. 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 (and its southerly continuation) is shown on Greenwood’s County Map 1828.
- 8.6 Although other public rights of way were identified nearby, and the east - west Public Footpath No 4 was identified over D-E part of the route itself, the C-D part of the 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 no part of the route is coloured brown in the way that 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 As indicated previously, on 9<sup>th</sup> December 1956, a document / plan was signed by Charles Bosanquet stating:
- “I Charles Ion Carr Bosanquet of Rock, Alnwick, Northumberland do hereby declare that I have dedicated to the use of the public as a highway that portion of land between the Shipley to Christonbank Road B6347 and Rock Midstead Farm which is coloured red hereon as from to-day’s date.”
- 8.10 The C-D-E route of alleged Byway Open to All Traffic No 28 is highlighted in red on the plan. The width of the highway being dedicated is not given but, between Points C and D, 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 section between Points D and E, the highlighted section is narrower.
- 8.11 Until Mr Bosanquet’s highway dedication, the accepted position appears to have been that the D-E section was a public footpath (part of Public Footpath No 4), and that the C-D section had no public status.
- 8.12 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, the dedication plan is entitled “Rock Midstead Road”.
  - Thirdly, given the width of the highway being dedicated (as much as 9

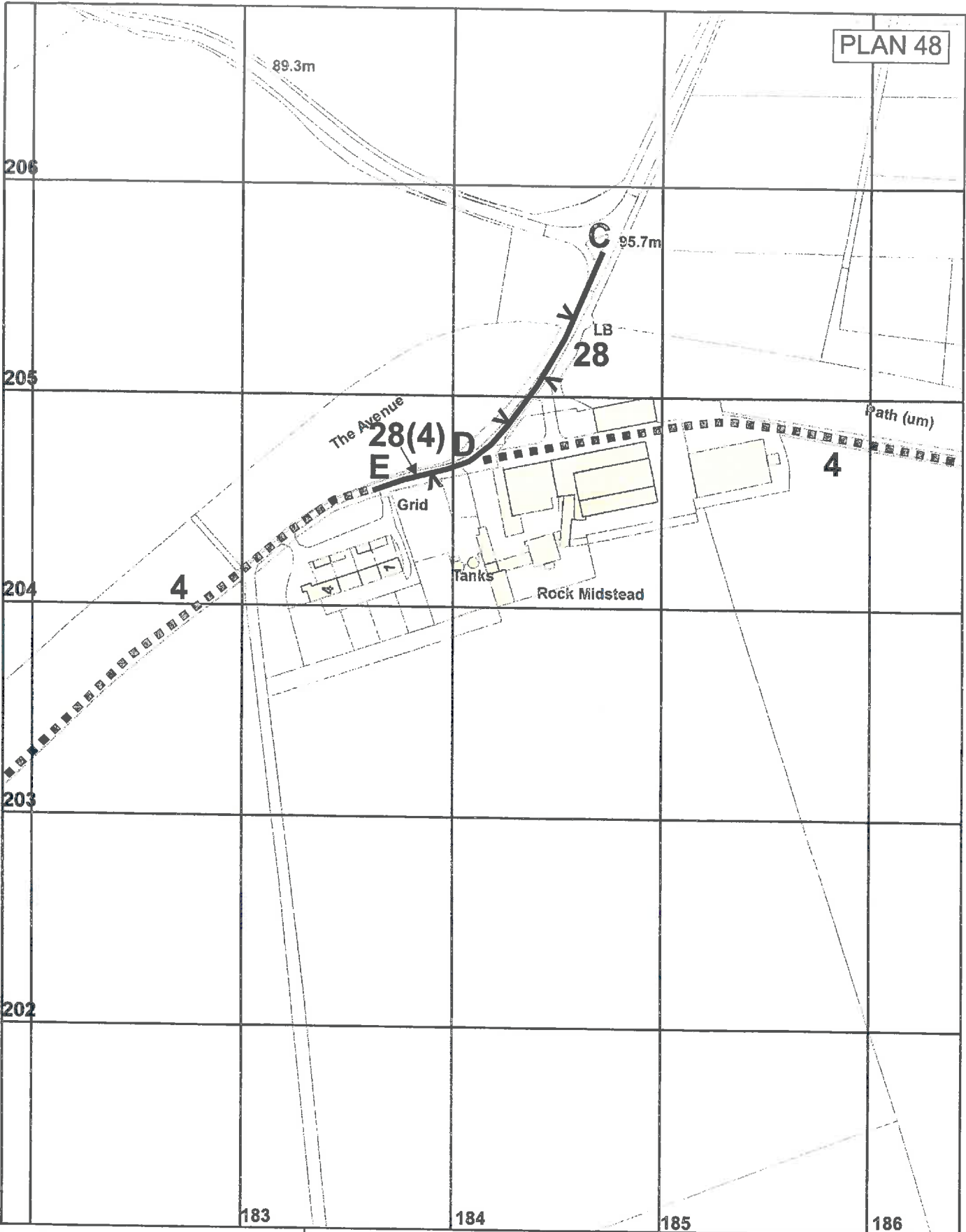
metres, between the boundaries, in places), it seems unlikely that the landowner was dedicating something less than a public vehicular right of way.

- Fourthly, since the D-E part of the route was already in the process of being recorded as being a publicly maintainable public footpath, there would be no need for the landowners to dedicate public footpath rights over this section.
  - Fifthly, if only public bridleway rights were being dedicated, this would create a rather short and pointless cul-de-sac bridleway, or little benefit to either the landowner, residents or the public.
- 8.13 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.
- 8.14 Of the saving provisions above, (b) will apply to the C-D part of the route of alleged Byway No 28. The public's motor vehicular rights over this section 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 short D-E section of the route, so here it is necessary to see whether or not one of the other saving provisions might apply.
- 8.15 Under section 67(2)(c) of NERCA 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 and 8.12 above, although it is reasonably clear that the 1956 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.
- 8.16 Under section 67(2)(a) of NERCA 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 Public Footpath No 4 continues both westerly and easterly from Rock Midstead. 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.

- 8.17 Under section 67(2)(e) of NERCA 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.
- 8.18 Finally, under section 67(2)(d) of NERCA 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 C-D-E route by Mr Bosanquet in 1956) 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 Rock Midstead road are phrased in a 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 D-E part of alleged Byway No 28.
- 8.19 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.
- 8.20 Although this route has a drivable surface, parts of it are not in a particularly good condition. It is a short vehicular cul-de-sac, unlikely to be driven to any great extent by members of the general public. The road is likely to be driven by Rock Midstead farm traffic and the occupiers of the cottages. It is not known how much pedestrian (or equestrian / bicycle) use the route gets. None of the consultation respondents provided any estimates regarding levels of current or past user.
- 8.21 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 28 with a width of 9 metres, for the C-D section, and 6.7 metres for the D-E section (as identified in paragraph 6.1, above).





**Northumberland**

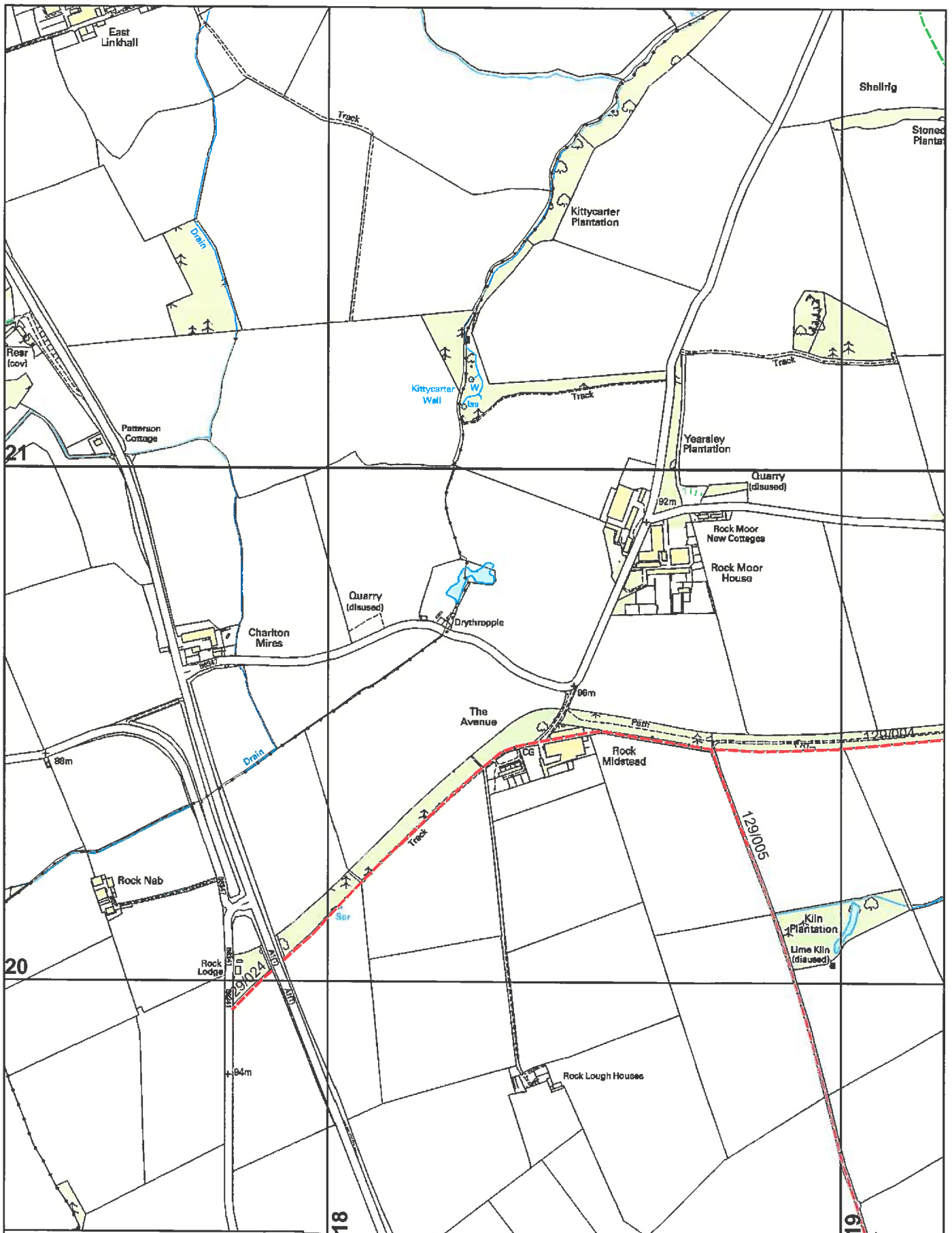
Northumberland County Council  
 Infrastructure  
 Local Services  
 County Hall Morpeth Northumberland  
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 Telephone 0845 600 6400

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

- Alleged Byway Open to All Traffic
- Existing Public Footpath

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Former District(s) Alnwick	Parish(es) Rennington	Scale 1:2500
Def. Map No. 49	O.S. Map NU 121 SE	Date October 2016



  
**Northumberland**  
 County Council

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

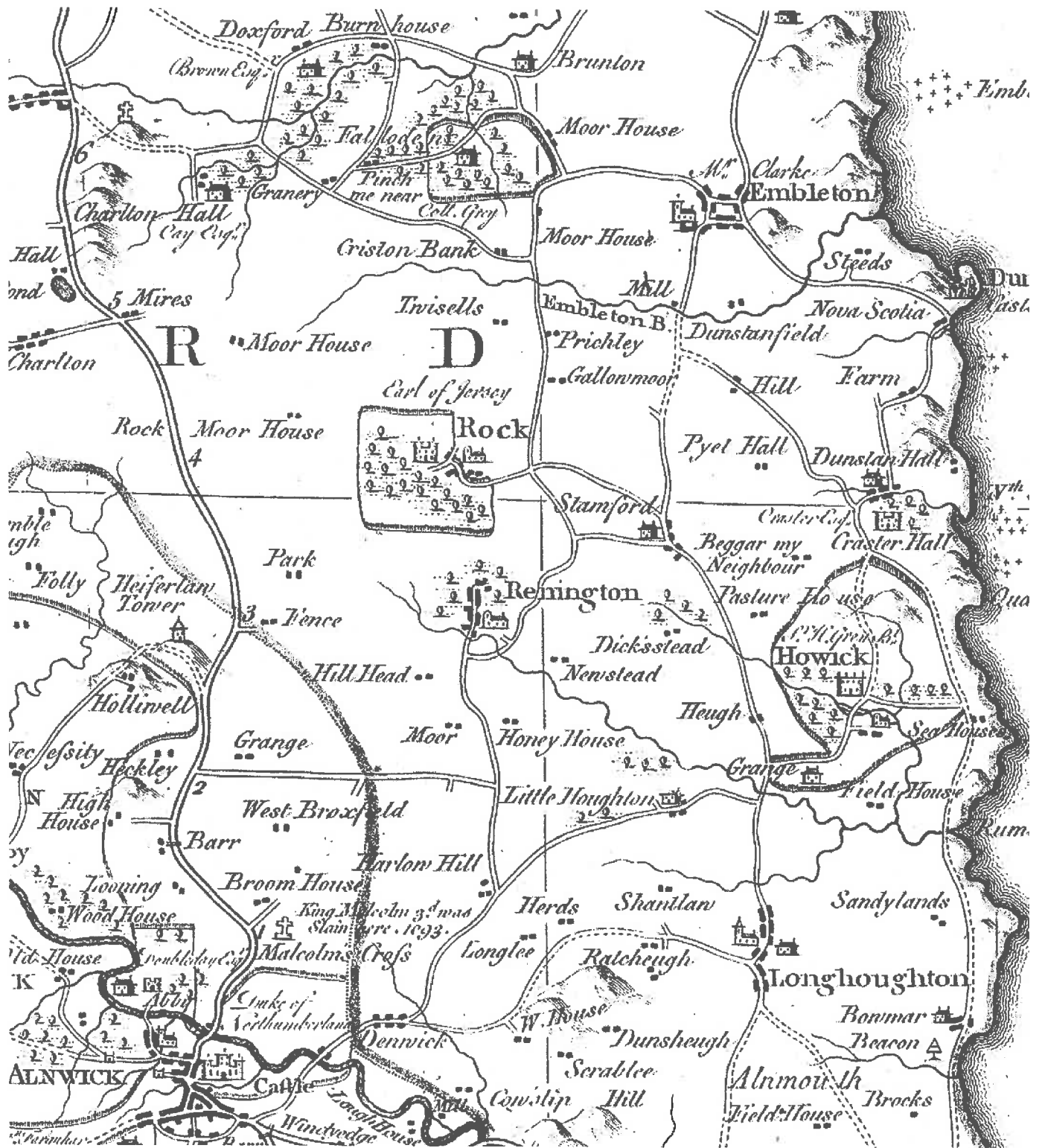
**Legend**

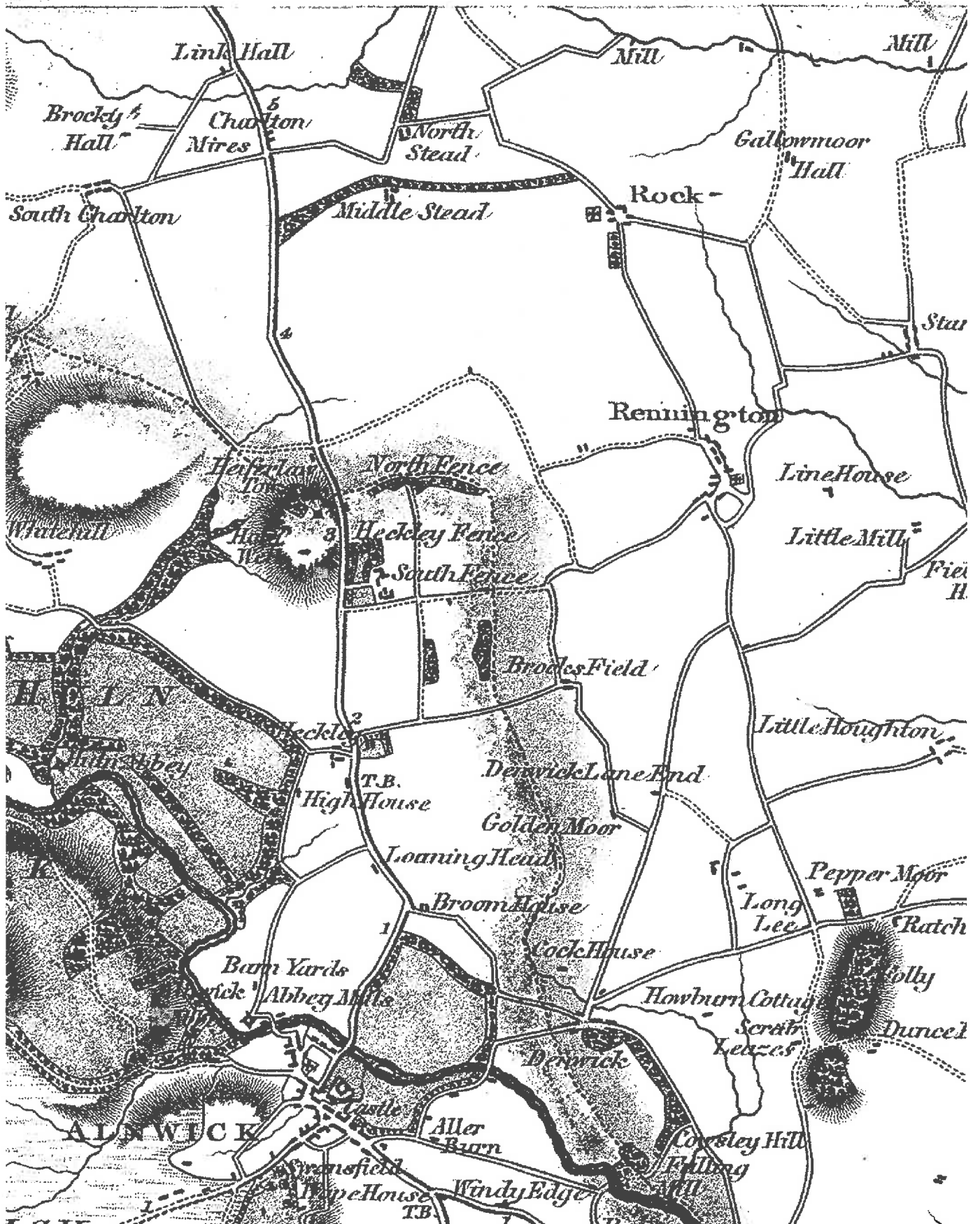
- Footpath
- Bridleway
- Restricted Byway
- Byway Open to All Traffic

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

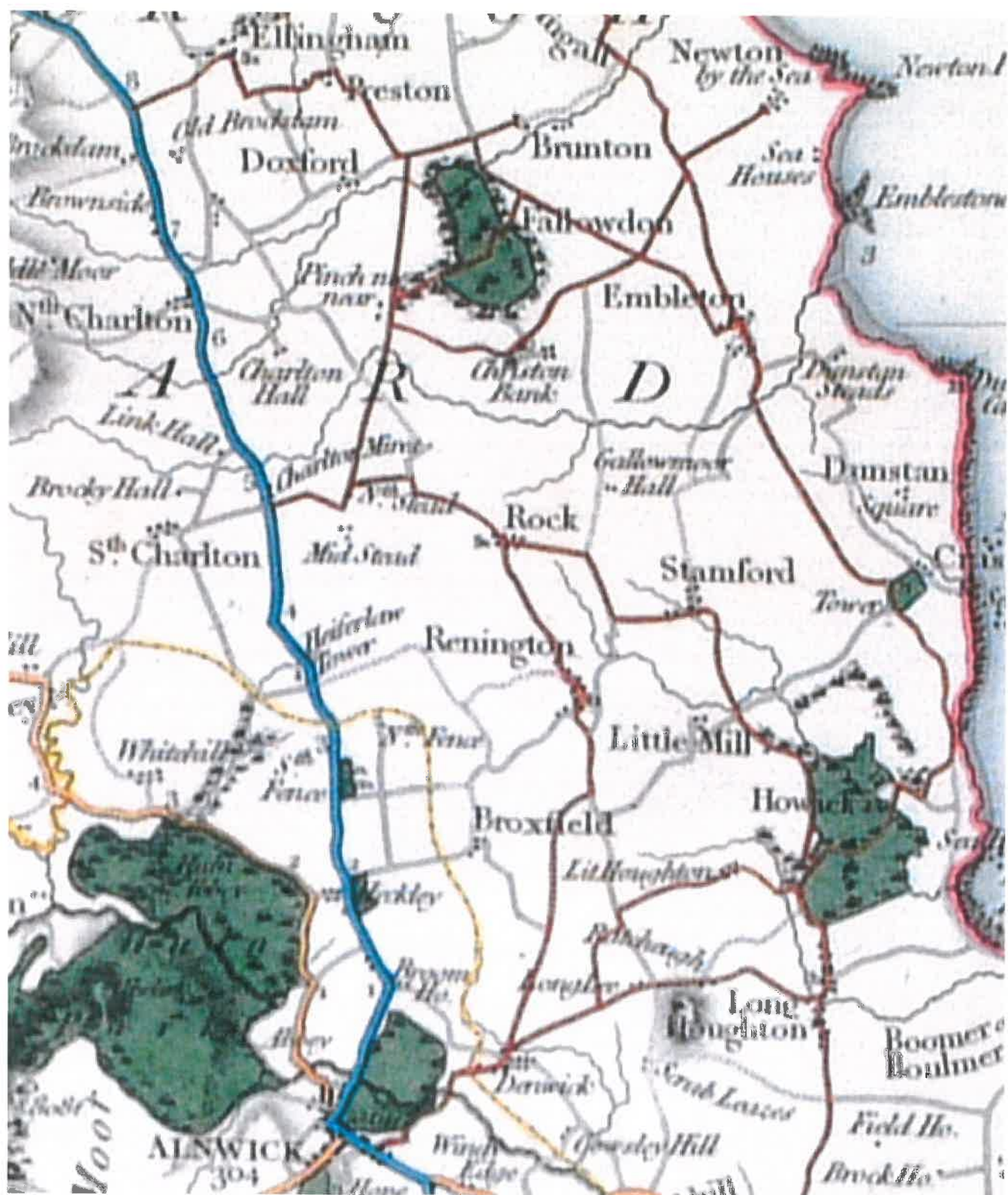
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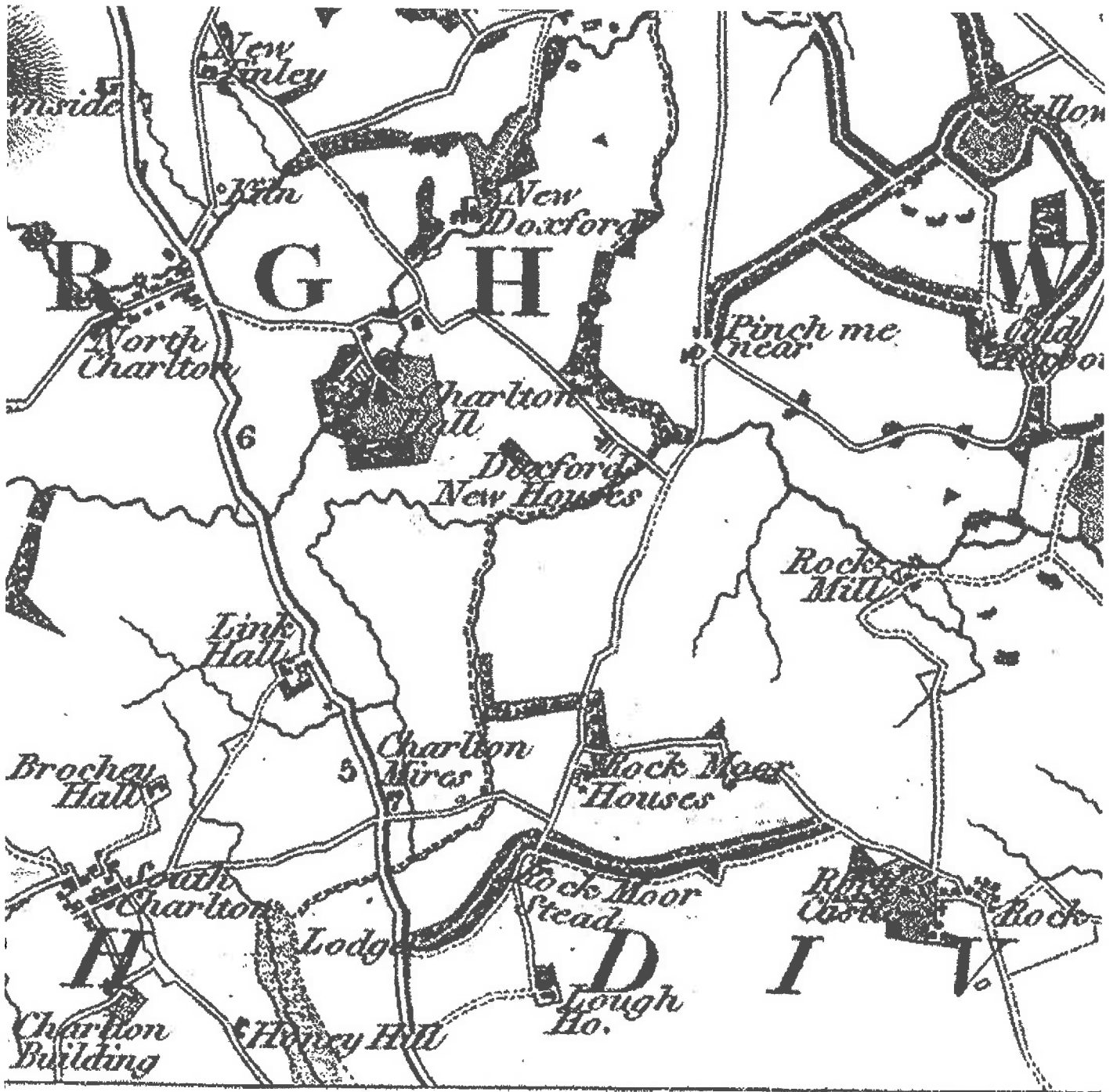
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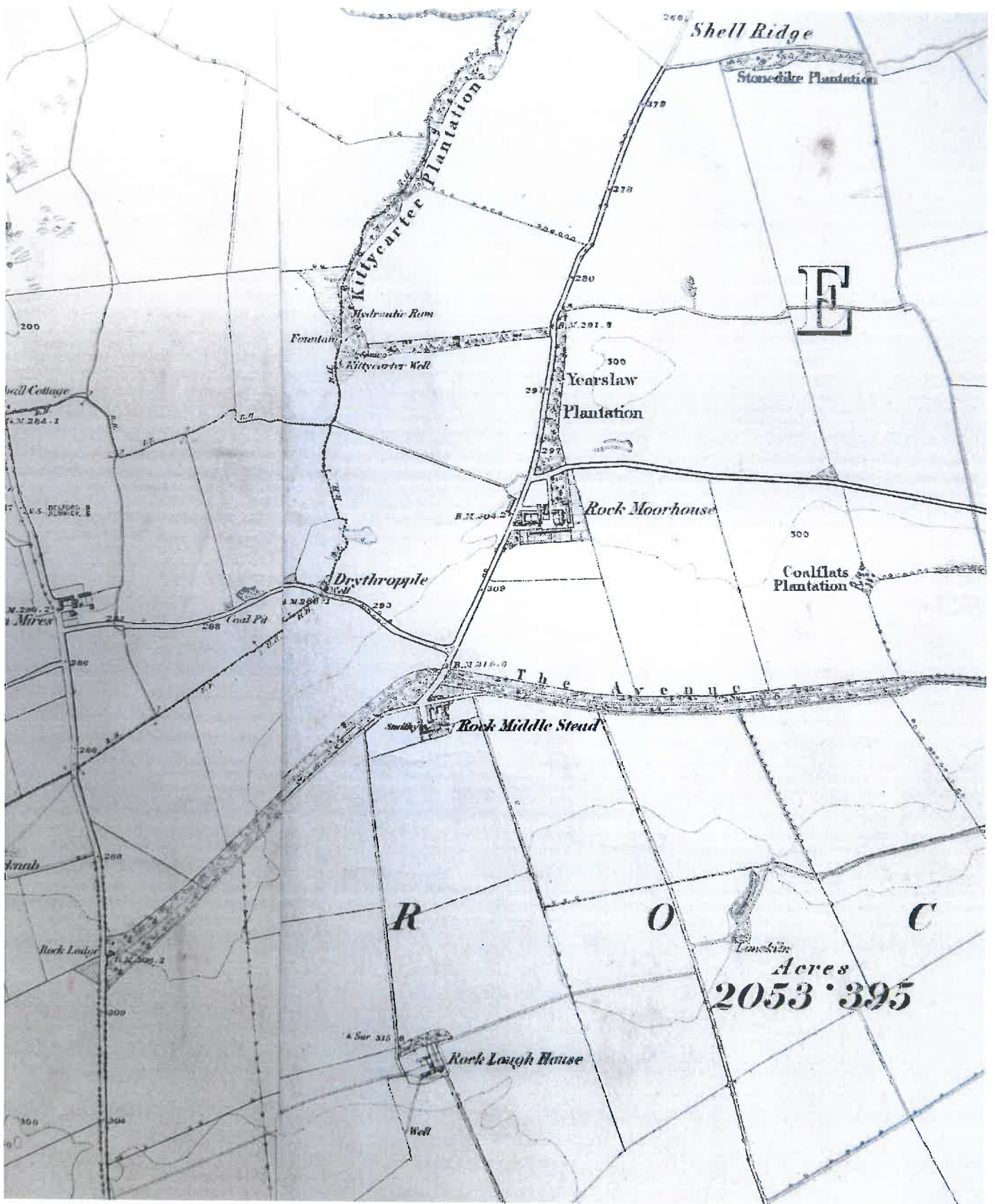


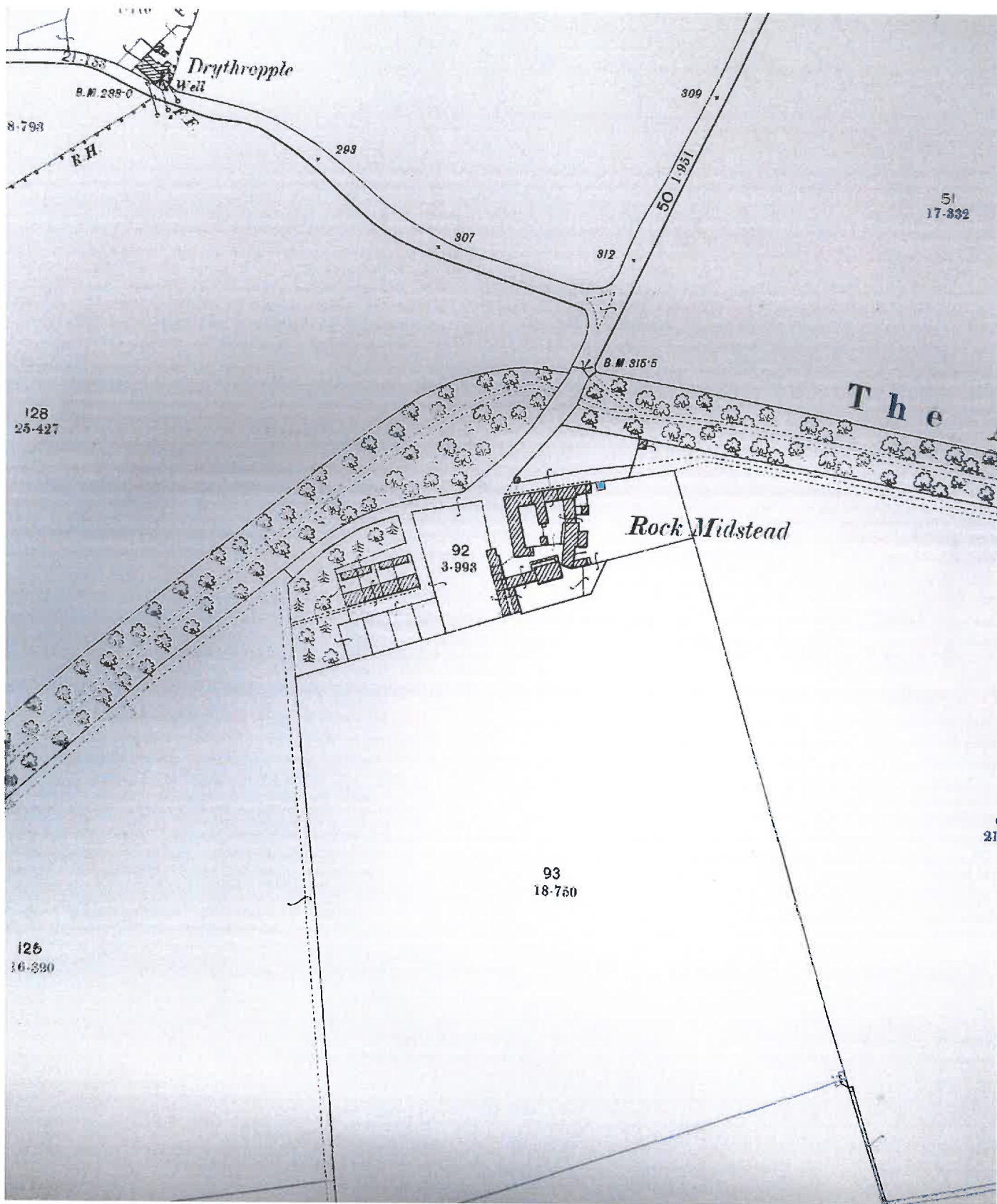


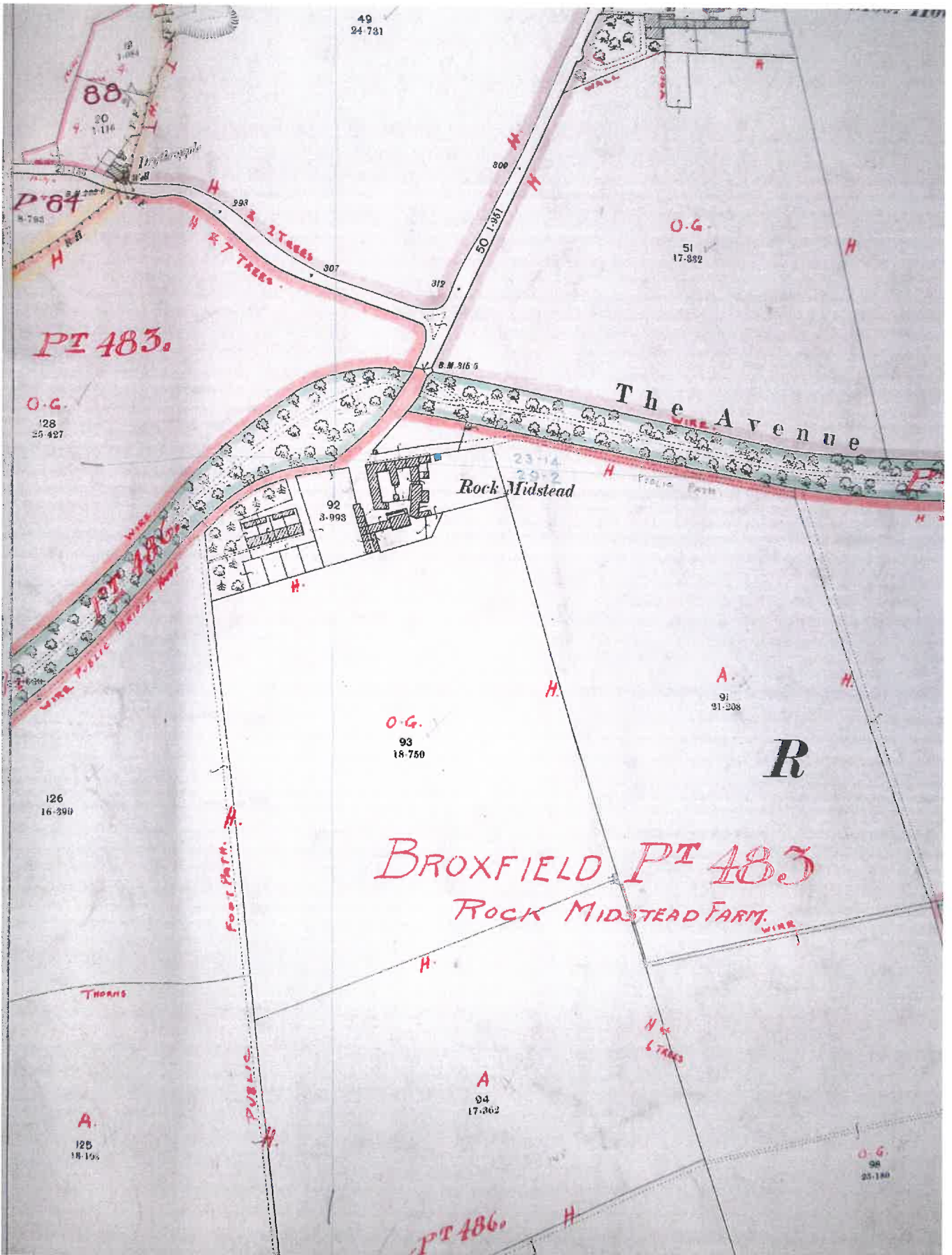


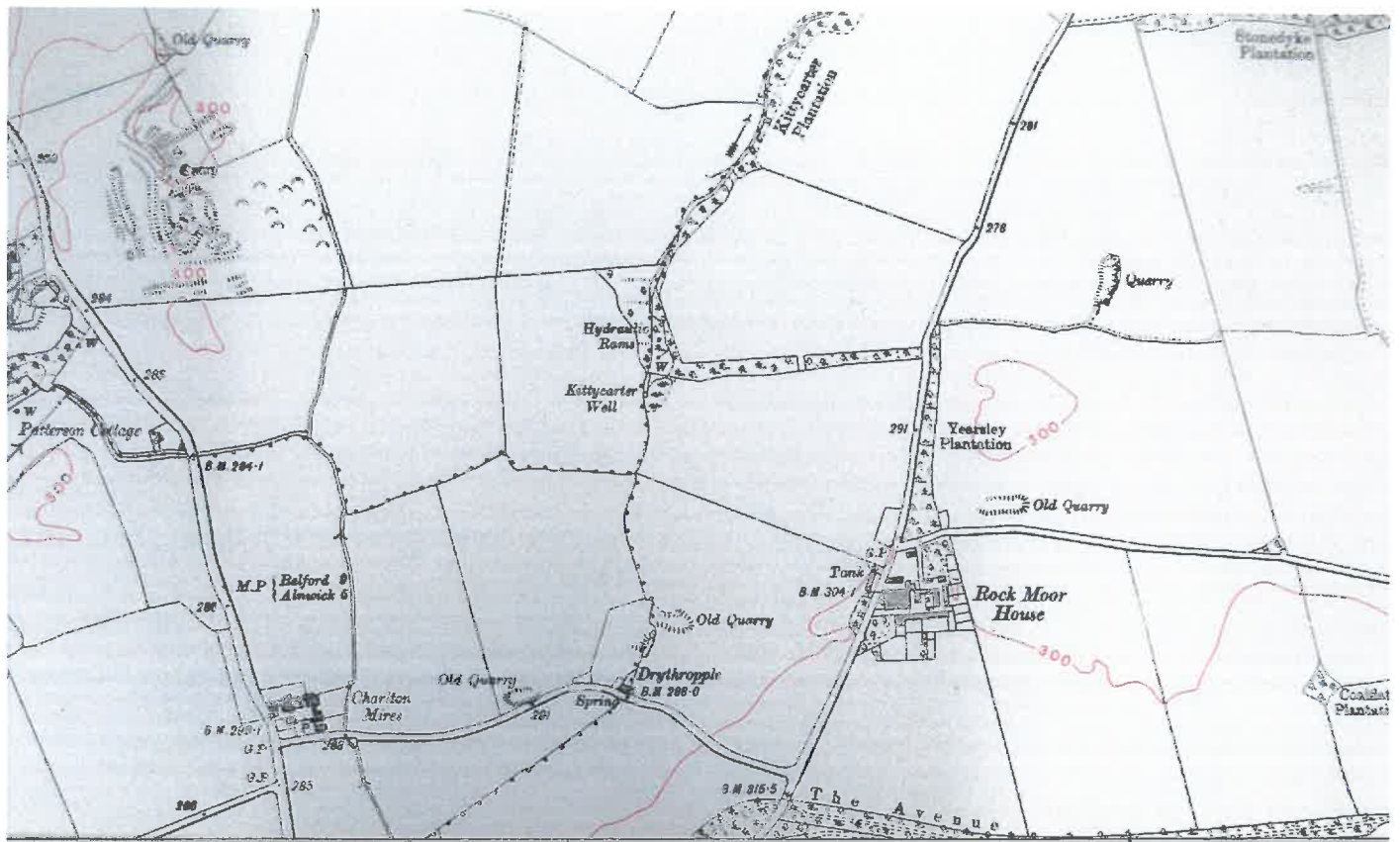












BERWICK UPON TWEED DIVISION

EDITION OF 1926.

ALNWICK UNION & R.D.

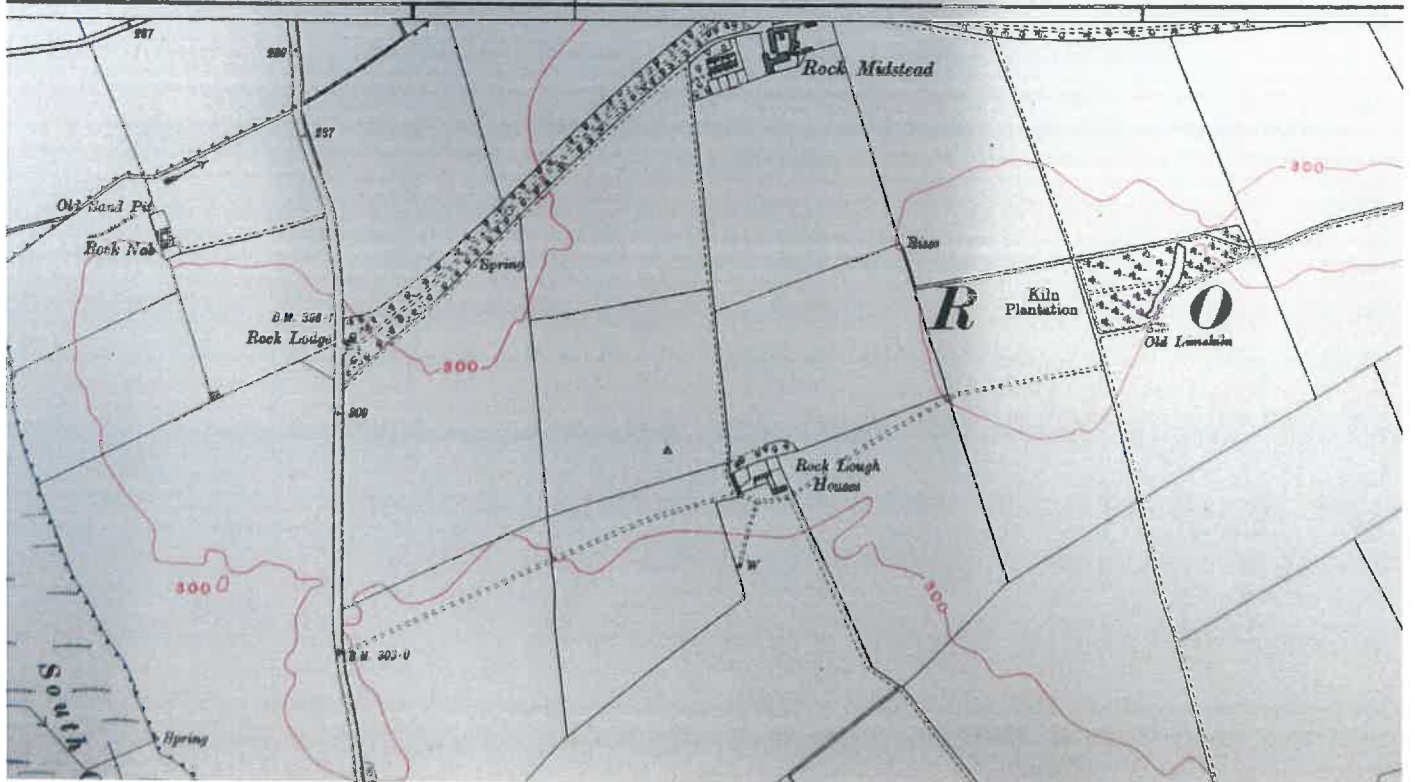
From Belford

1° 43'

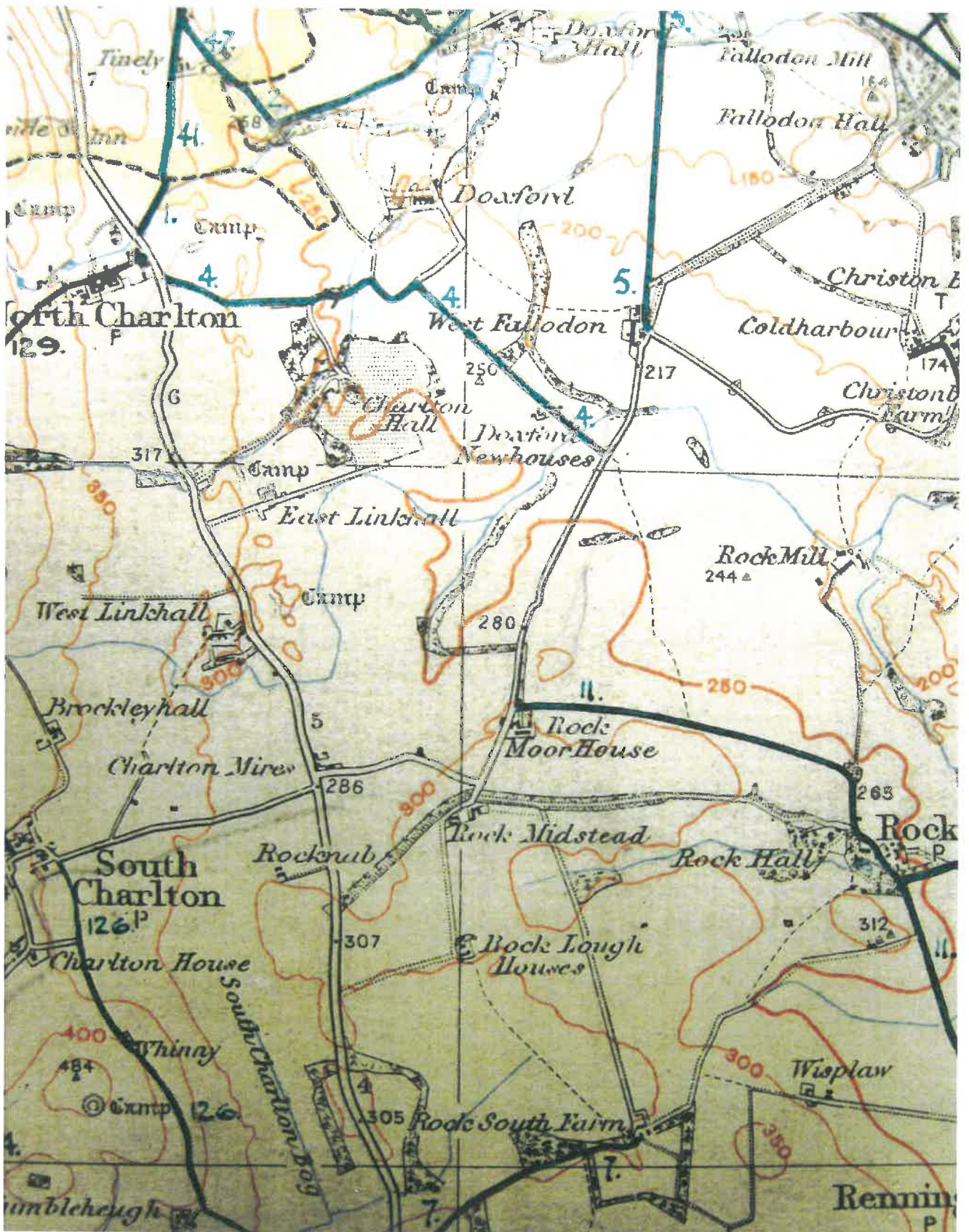
OLD SERIES SHEET LINE  
XXVII. S.E. XXVII. S.W.

XXIII. S.W.

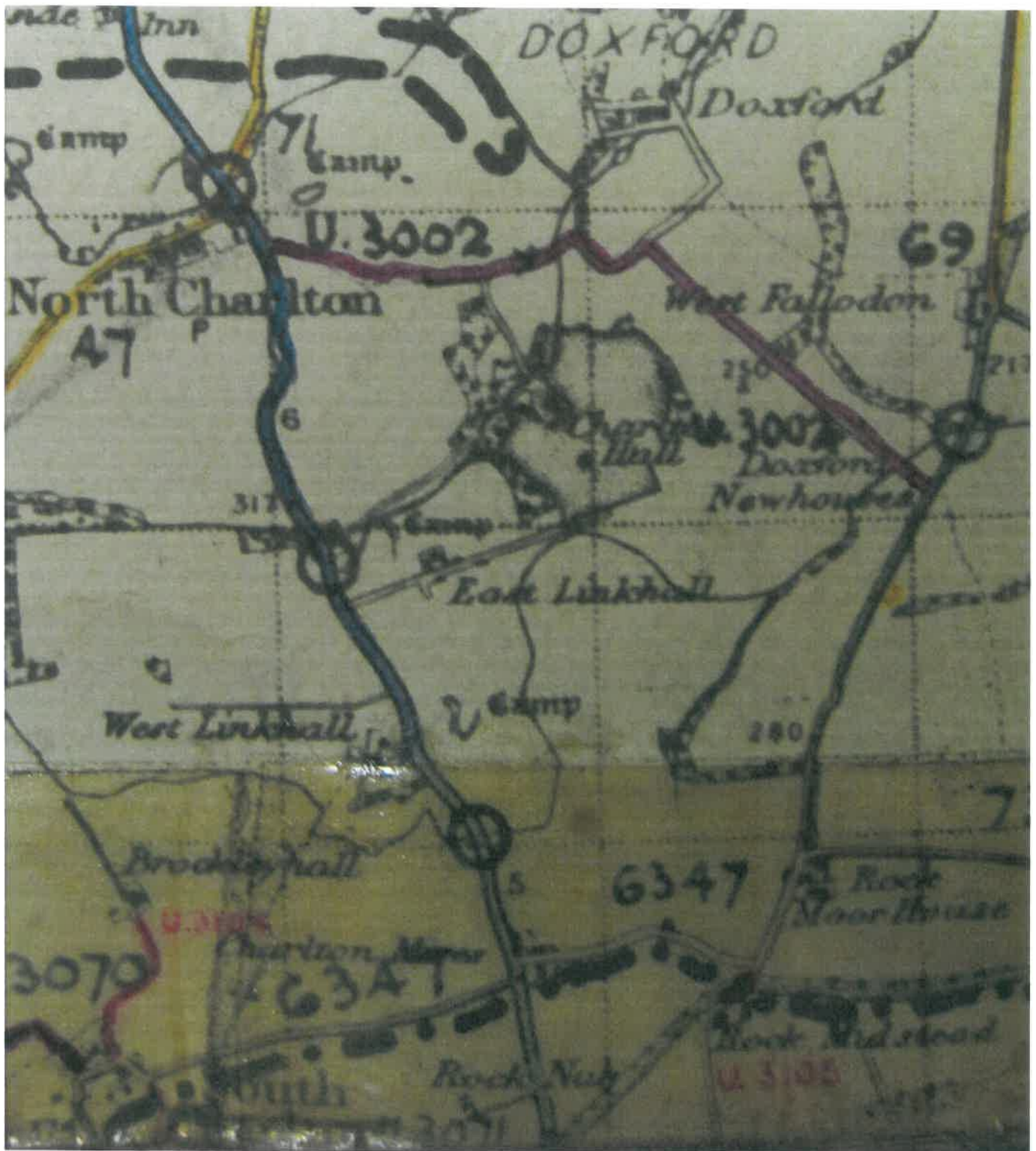
1° 42'



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

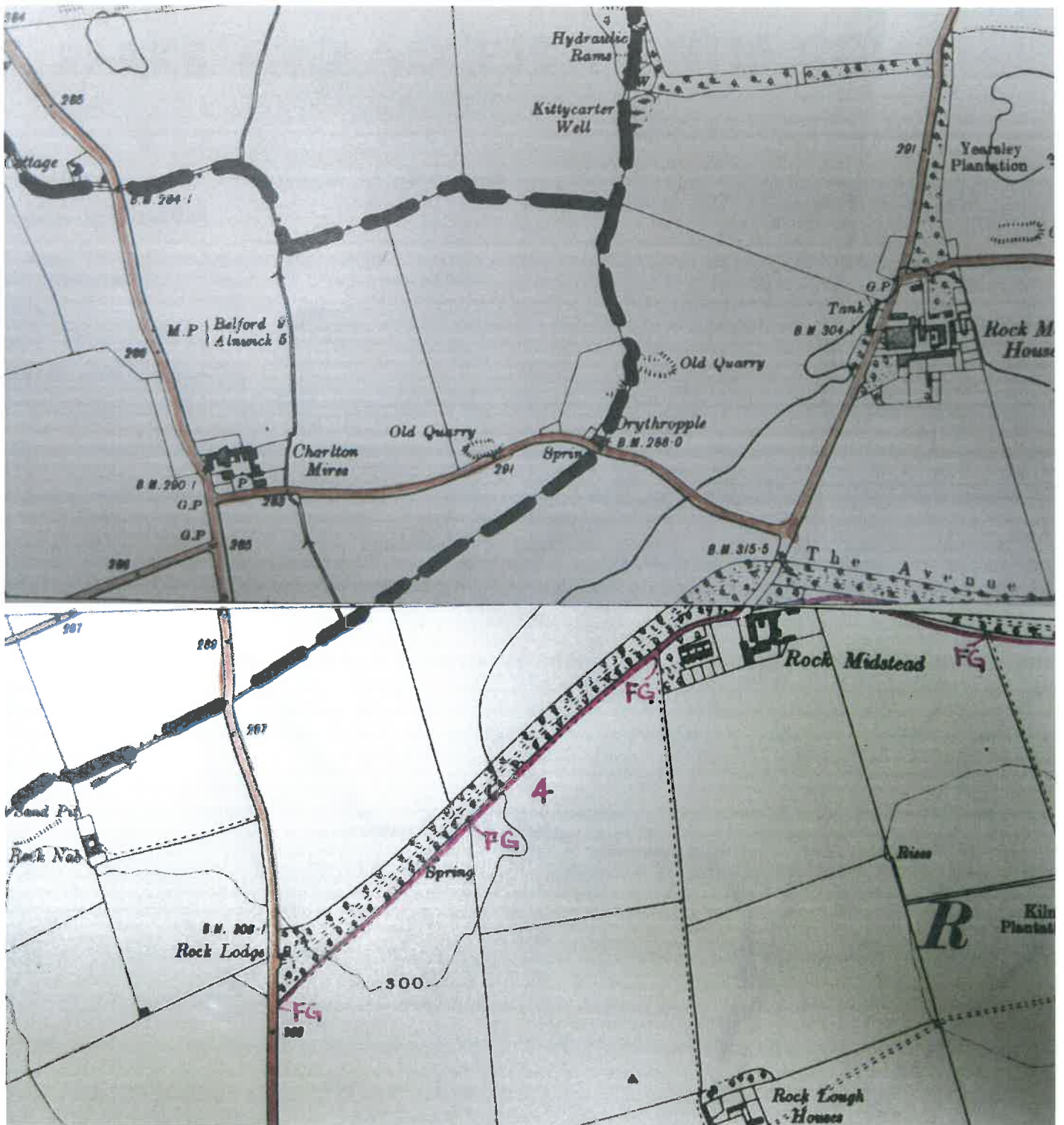


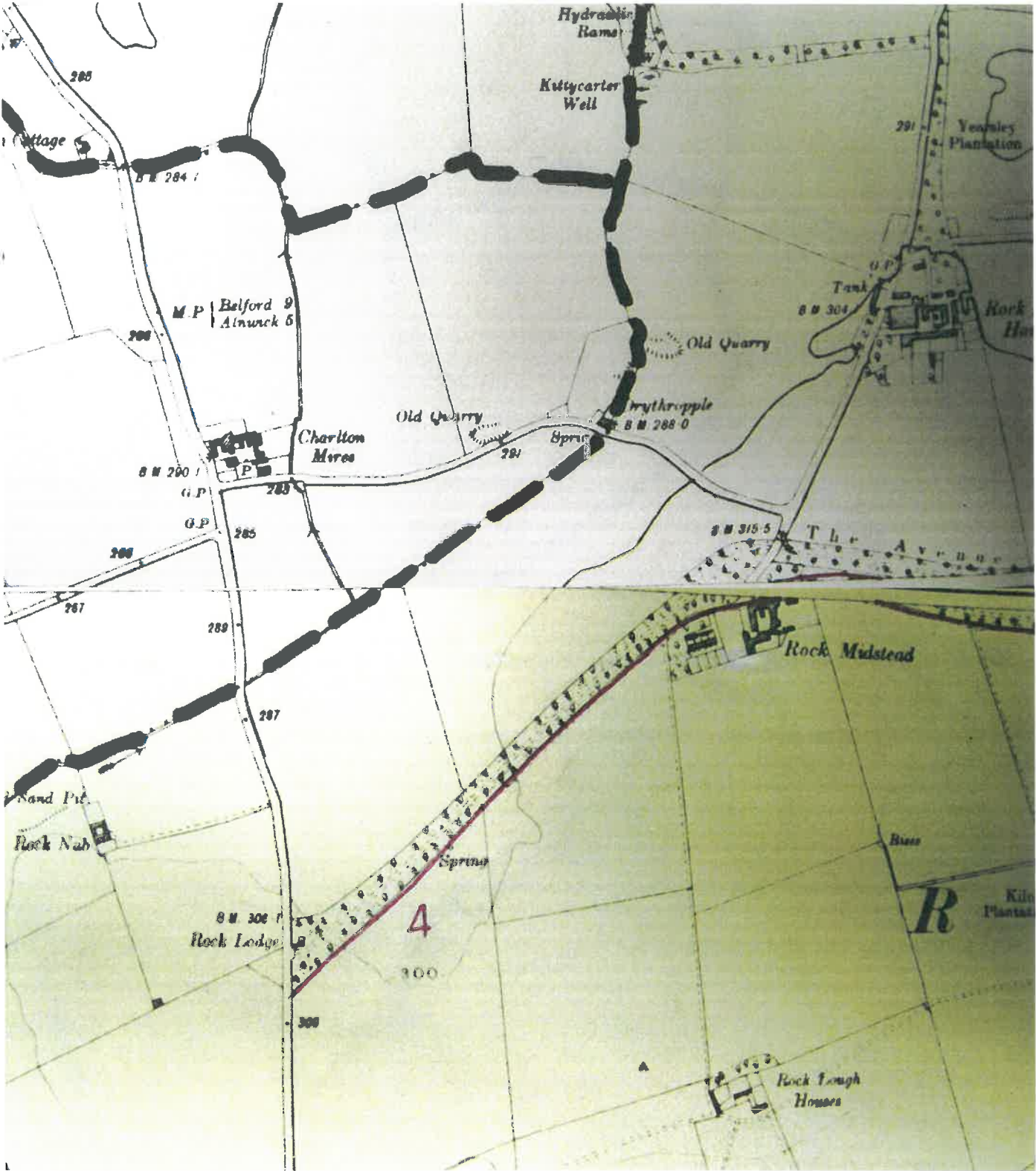
Extract from the Council's 1951 Highways Map



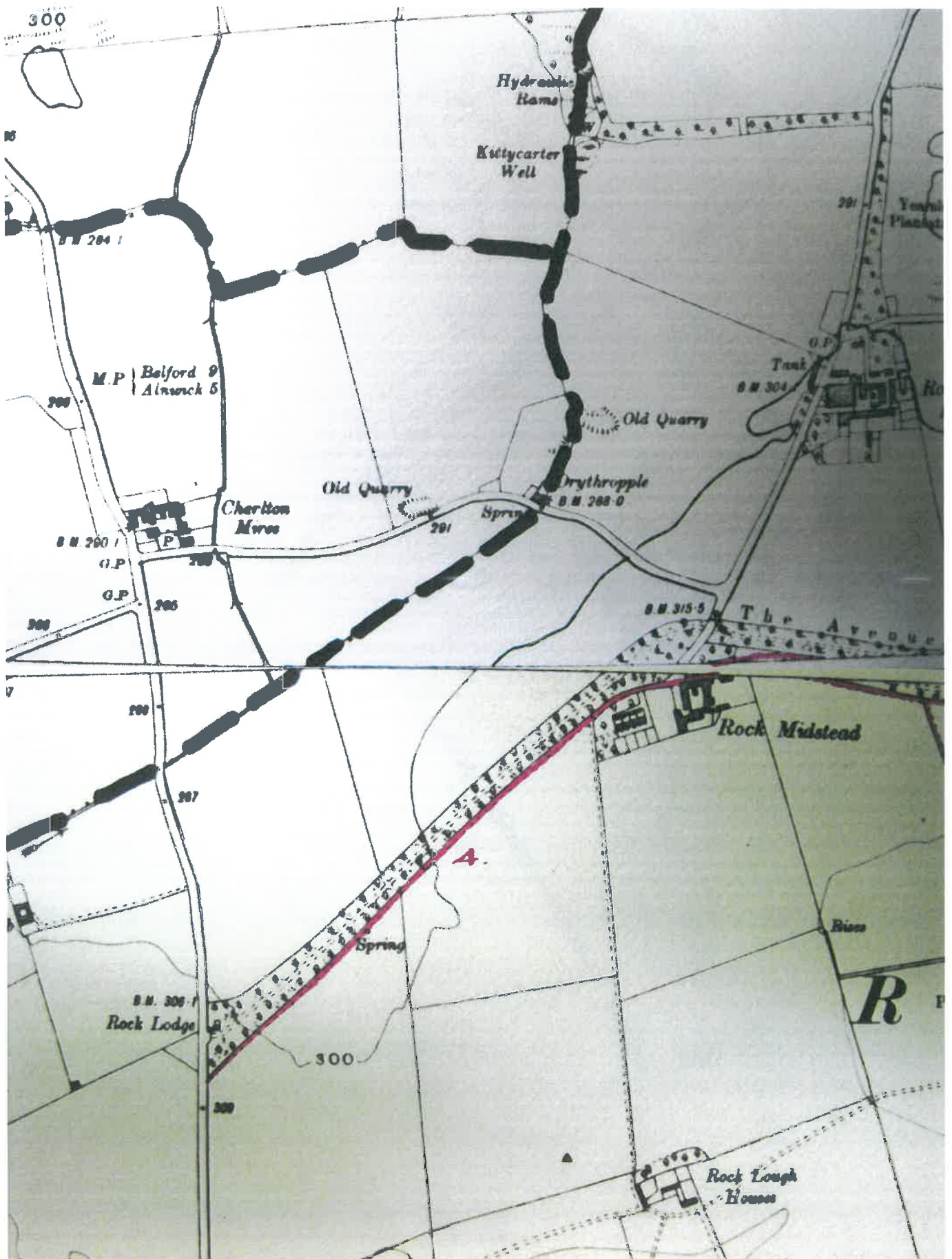


# Survey Map





# Provisional Map



## REPORTS OF COUNTY SURVEYOR—continued.

Decision of the Committee.

*Alnwick Rural District—Private Streets.**Road to Rock Midstead Farm.*

Mr. A. Sutherland, Rock Farms, has asked for the road to be taken over. It serves four agricultural dwellings and the farmhouse and leads to two other farms and two more dwellings.

I recommend that, subject to the road being repaired in a satisfactory manner, the length of road to the four agricultural dwellings be adopted.

at large and that the necessary notices be signed by the Council and fixed up thereon pursuant to Section 19 of the Private Street Works Act, 1892.

That subject to the road being repaired to the satisfaction of the County Surveyor it be taken over as a highway repairable by the inhabitants of the Parish.

**(7) Castle Ward Rural District.***Footbridge over the River Pont at Ponteland.*

At their meeting on the 20th June, 1955, the Committee considered the report of a Sub-Committee, on the request of the Castle Ward Rural District Council, that the County Council should accept responsibility for the maintenance of a footbridge over the River Pont and a short length of path and the Committee decided that if the District Council considered there was sufficient public need, then the first step would be for the District Council to make a public path order or agreement, when the County Council as highway authority, would indicate their requirements regarding construction.

The District Council now ask if the County Council would undertake the construction and contribute towards the cost. Both the District Council and the Ponteland Parish Council now suggest that the footbridge has been in use by the public for many years and should have been shown as part of a public path on the Draft Map of the Footpath Survey. In view of this the District Council suggest that if the County Council are not prepared to bear the whole cost, they should make a substantial contribution. The information previously given was that this bridge was constructed during the war to serve allotments on the east bank of the River and even now the Parish Council only give 1938 as the date of construction. The 1921 Ordnance Survey does show two footbridges across the River Pont but the nearest of these is shown about 50 yards north of the site of the existing footbridge. Both are now non-existent and I have no evidence that either was ever considered as forming part of a right of way.

No doubt the Committee would be prepared to consider any definite evidence that would indicate this footbridge was, in fact, part of a public path at the date of the coming into operation of the National Parks and Access to the Countryside Act, 1949, but it would seem that so far this evidence is lacking.

That no contribution be made.

## REPORTS OF COUNTY SURVEYOR—continued.

Decision of the Committee.

The footbridge is at present used by the public, including school children, it is in very bad condition and the estimated cost of constructing a new footbridge and a short length of path at the east side of the river is £500, and I ask the Committee to indicate the extent to which they are prepared to contribute.

**(8) Northam and Islandshires Rural District.***Causeway to Holy Island.*

The Committee will remember that this Causeway was opened to traffic in September last year and having had a year's experience of the effects, the Parish Council consider that it has been a great success. They estimate that 500,000 people crossed to the Island during the summer and, in view of the many advantages to the residents and the desire of increasing the number of visitors from this country and overseas to see the Holy Island of Lindisfarne, the Parish Council ask that the completion of the Causeway to the Chare Ends should be expedited. They also point out that this would eliminate damage to vehicles by sand and sea water.

A water supply scheme on the Island has been completed and a new sewerage scheme has been prepared, but this allows for only a small extension of development.

I think there is no doubt that the causeway has had, and will continue to have, a most profound influence on the life of the Island, it has increased the interest in the historic associations of the Island with the spread of Christianity in Britain and, in addition to the numbers of visitors, it has been beneficial to the trade and general life of the permanent residents.

The United Automobile Services, Ltd., state that in addition to the summer services they desire to continue the provision of transport facilities during the winter, but they are concerned at the danger of travelling over the sands in the dark and ask for the provision of guiding posts between the end of the Causeway and the Chare Ends, where the track joins the road on the Island.

Including the bridge over the Low, there is now a paved causeway for a length of 1.1 miles between Beal Shore and the Snook and then for nearly 2 miles the track runs along the sands at about the highwater line.

The increased volume and weight of traffic now using the track has corrugated the sand and at the Chare Ends the track is badly broken up.

When the Committee decided on the construction of the Causeway their object was to provide a firm and reasonably safe crossing to the Island in view of the difficulties experienced by vehicles crossing the Low and I

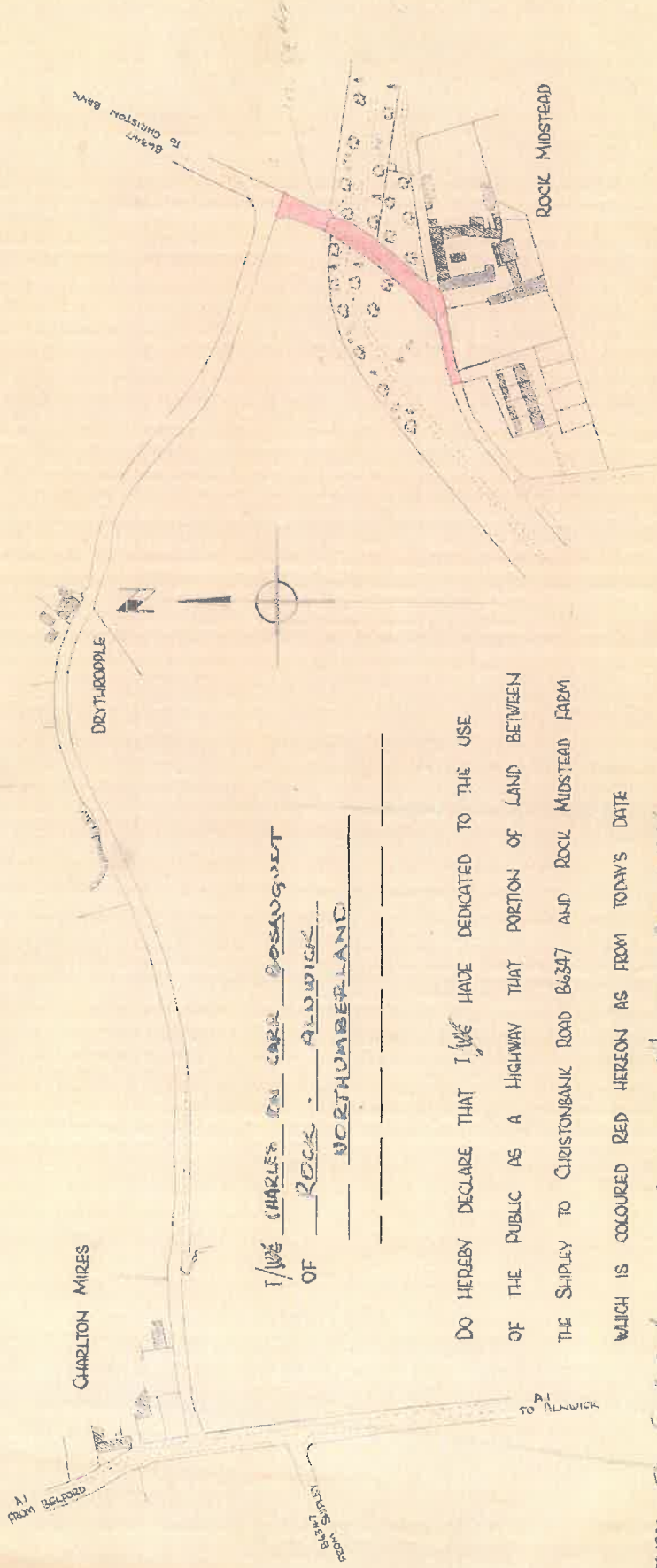
That the Chare Ends be paved at an estimated cost of £500, and that directive posts be provided as necessary.

Highway Dedication  
1956

599

COUNTY OF NORTHUMBERLAND

ROCK MIDSTEAD ROAD



I/WE CHARLES DAVID BOSQUET  
OF ROCK - ALNWICK  
\_\_\_\_\_

DO HEREBY DECLARE THAT I/WE HAVE DEDICATED TO THE USE  
OF THE PUBLIC AS A HIGHWAY THAT PORTION OF LAND BETWEEN  
THE SHIPLEY TO CHRISTONBANK ROAD B6347 AND ROCK MIDSTEAD FARM

WHICH IS COLOURED RED HEREON AS FROM TODAY'S DATE

DATED THIS 01 DAY OF December 1956

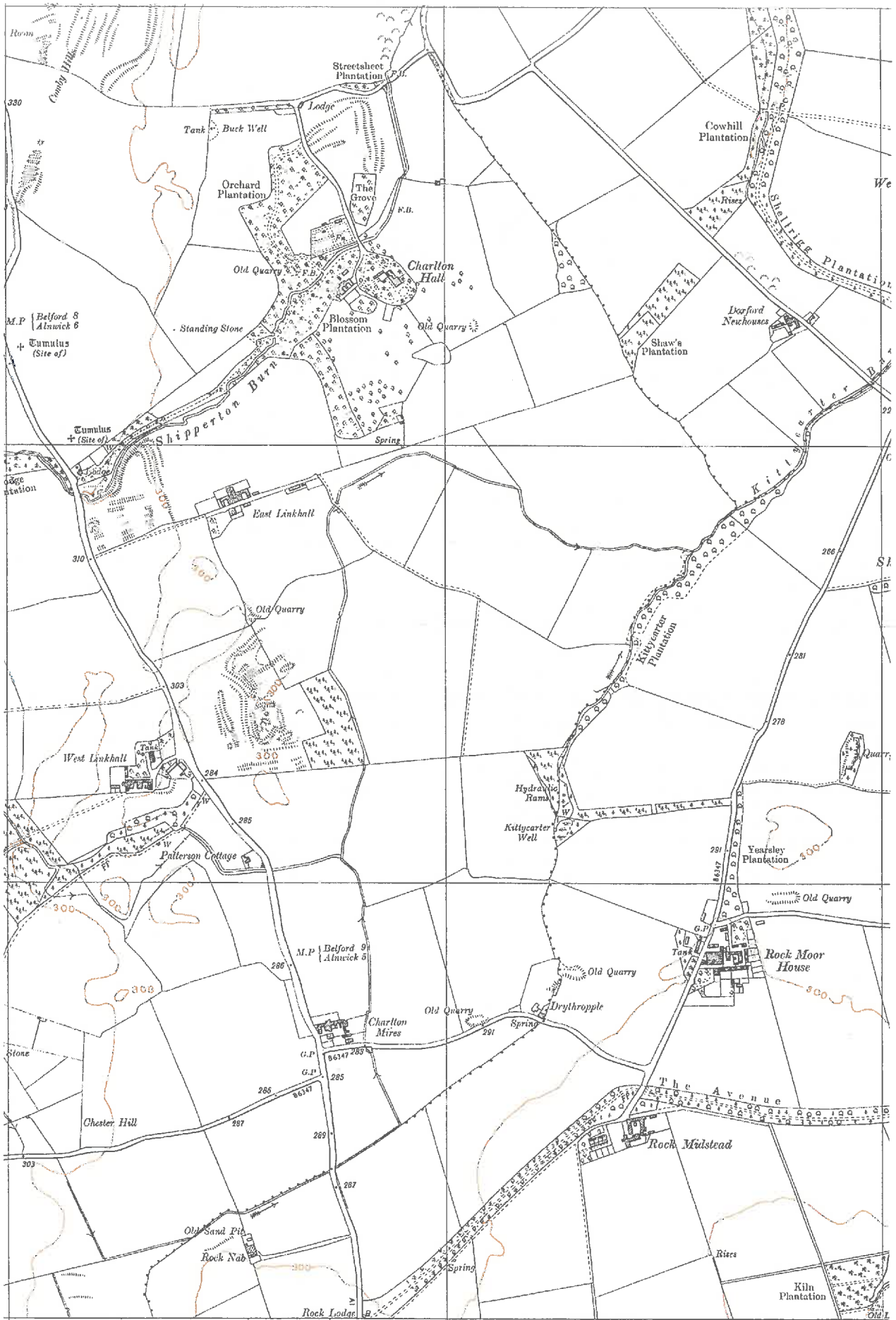
WITNESS C. C. Swales  
ADDRESS Rock  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



SIGNED Charles David Bosquet

SCALE - 1/2500

PLAN No P7/220/66



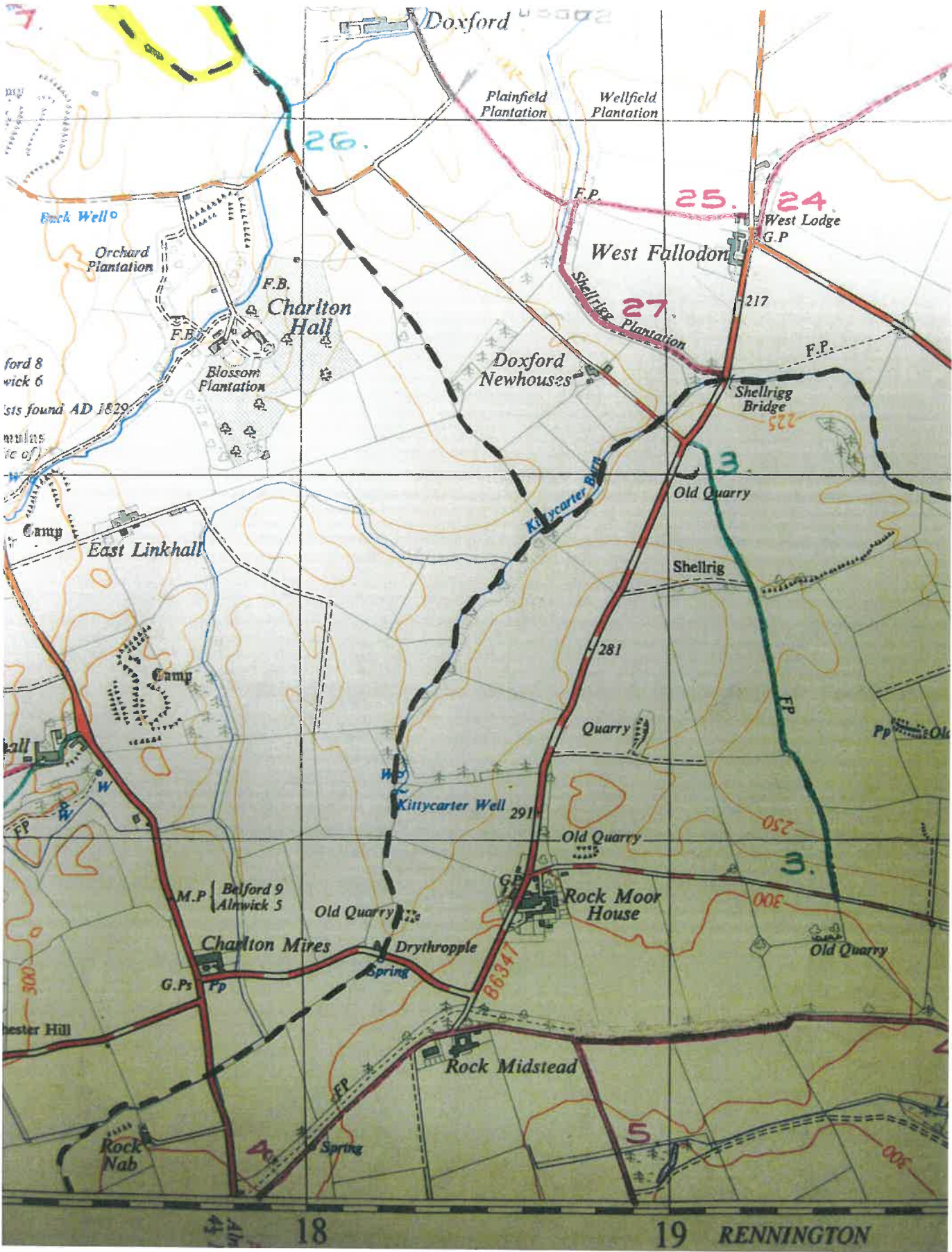
# 1958 County Road Schedule

## ALNWICK DIVISION

### Unclassified Roads in Alnwick Rural District.

		Brought Forward	69,582
U.3100	Kirkwell Cottages, Hauxley	From C.109 at Hauxley northwards to Kirkwell Cottages for a distance of 788 feet	0.15
U.3101	Whittle Colliery.	From C.97 southward for 80 yards toward the Colliery.	0.045
U.3105	Rock Midstead Farm, Road.	From the B.6247 at a point 300 yards east of Drythrople south-westwards to Rock Midstead Farm Cottages for 180 yards.	0.102
U.3108	Farne View, Shilbottle	Off C.97 at FARRIER'S ARMS INN, 520 yards.	0.295
		Total.	<u>70,174 miles</u>

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 ..... **RENNINGTON** .....

3. Number of Footpath on Map ..... **4** ✓ .....

4. Name of Path .....

5. Kind of Path (i.e. FP/BR) ..... **F.P.** .....

6. General Description of Path **From the Alnwick - Belford road at** .....  
**Rock Lodge in a north-easterly and easterly direction along the southern** .....  
**boundary of the Avenue by Rock Midstead to join Remnington - Rock Moor** .....  
**House road at Rock.** .....  
 .....  
 .....

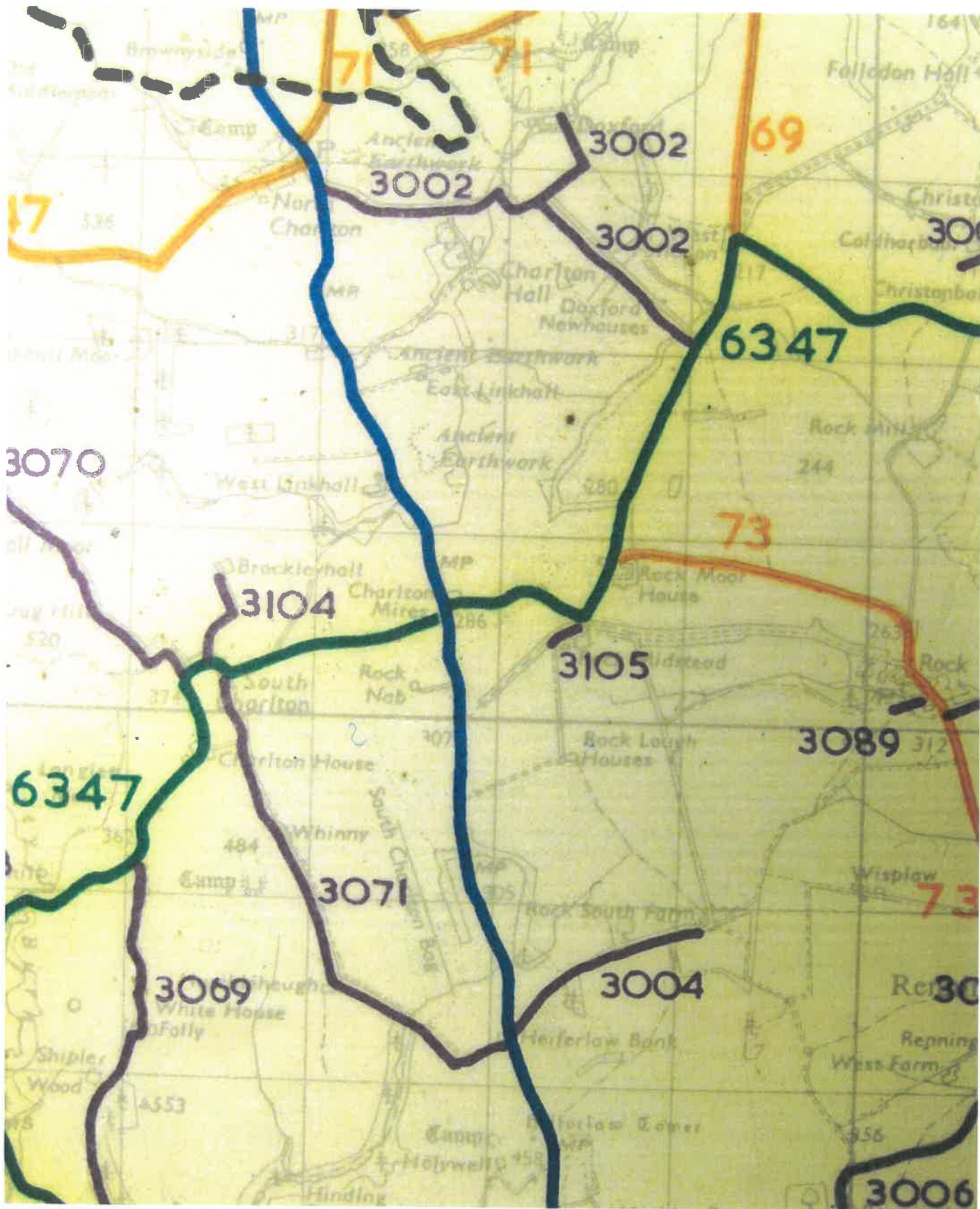
7. Other relevant information .....  
 .....  
 .....  
 .....  
 .....

# 1964 County Road Schedule

- 85 -

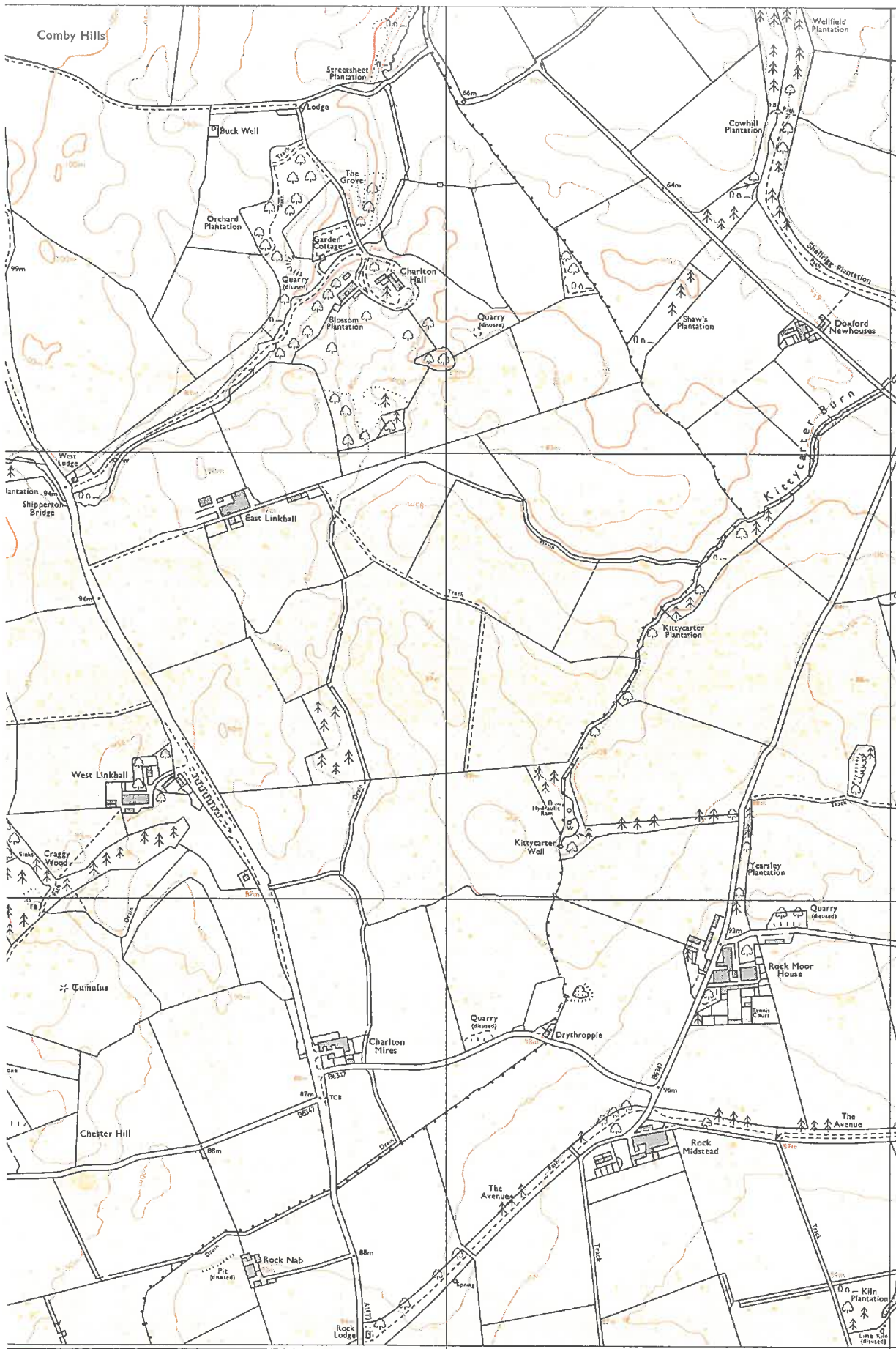
Route No.	Name of Road.	Description.	Responsible Division or Authority.	Mileage.	Total Mileage.
U. 3096	Glantlees Farm Road.	From Longframlington - Newton-on-the-Moor Road, C.106, north-westwards to Glantlees Farm and Snook Bank Farm Cottages.	Alnwick.		0.76
U. 3097	Markworth Streets. (See also U. 3043).	From C.105 at Markworth south-westwards via Markworth Avenue and then north-eastwards via Barns Road to join C.103 at Morwick Road.	Alnwick.		0.24
U. 3098	Shipleyhill Road.	From B.6347 south of Shipley Burn north-westwards to the west gable of Shipleyhill Farm House, (765 yards).	Alnwick.		0.43
U. 3099	Swarlandfence-Feltonfence.	From B.6345 at Swarlandfence south-eastwards to Feltonfence.	Morpeth.		0.30
U. 3100	Kirkwell Cottages, Hauxley.	From C.109 at Hauxley northwards to Kirkwell Cottages for a distance of 788 feet.	Alnwick.		0.15
U. 3101	Whittle Colliery Road.	From C.97 southwards for 80 yards towards Whittle Colliery.	Alnwick.		0.05
U. 3102	Greyfield Estate, Embleton.	From B.1339 at Embleton westwards to join U.3010, (333 yds), together with two cul-de-sacs off the southside, (100 yds and 117 yds).	Alnwick.		0.31
U. 3103	Christon Bank Farm Road.	From B.6347 at Christon Bank eastwards to Christon Bank Farm.	Alnwick.		0.23
U. 3104	Brockleyhall Farm Road.	From B.6347 at South Charlton northwards to entrance gate to Brockleyhall Farm, (577 yds).	Alnwick.		0.33
U. 3105	Rock Midstead Farm Road.	From B.6347 at a point 300 yards east of Drythropple south-westwards to Rock Midstead Farm Cottages for 180 yards.	Alnwick.		0.10
U. 3106	Powburn-Breamish House.	From A.697 near Branton Manse westwards to the Rural District boundary at Breamish House, (250 yds). (Continuing in Glendale Rural District as U.1092). (See Branton Township Division, 1893).	Alnwick.		0.14
U. 3107	Boatman's Place, Low Newton-by-the-Sea.	From C.72 at Low Newton-by-the-Sea south-westwards for 86 yards.	Alnwick.		0.05

# Extract from the Council's 1964 Highways Map



# 1974 County Road Schedule

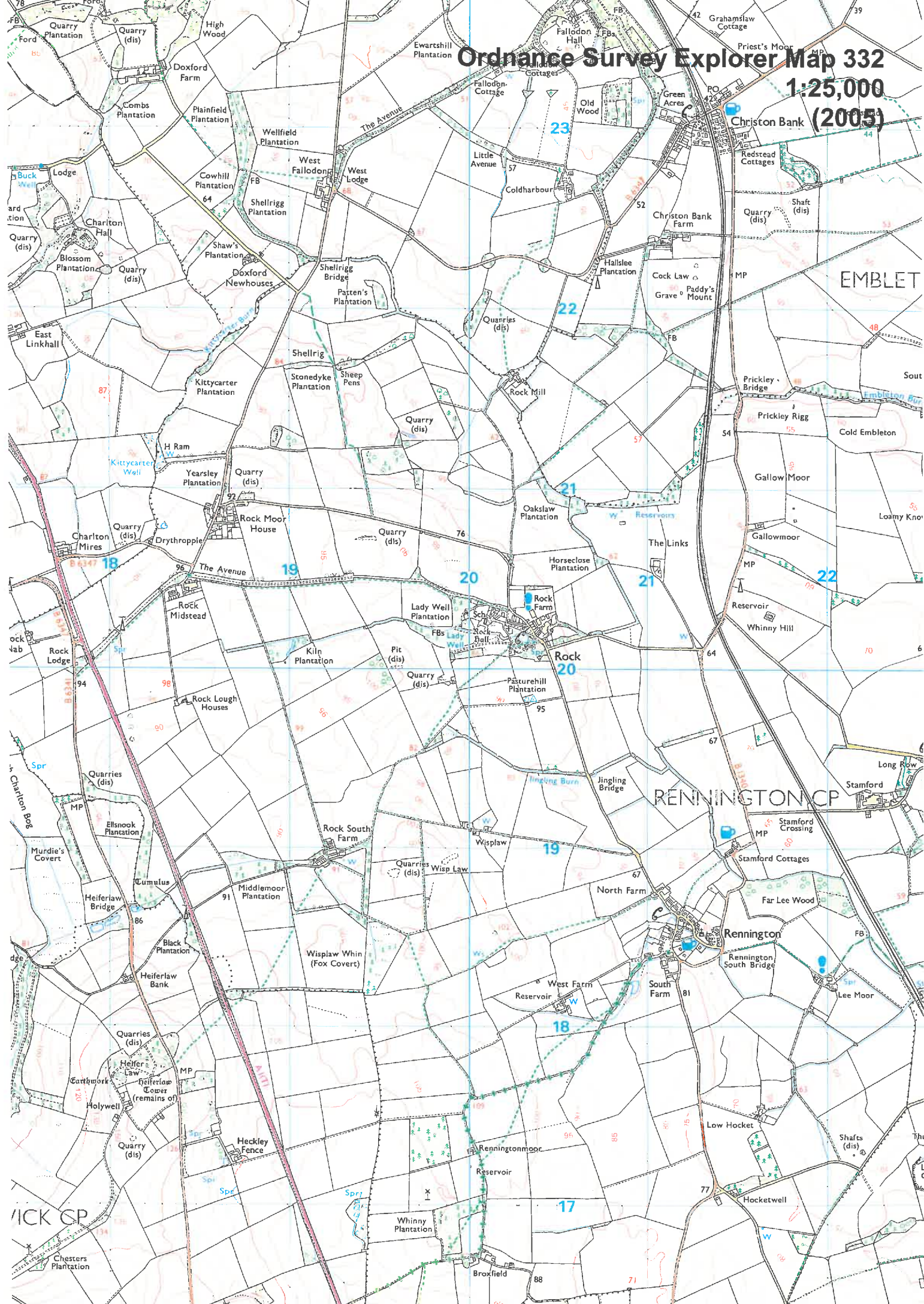
Route No.	Name of Road	Description	Responsible Division or Authority	Mileage	Total Mileage
U.3105	Rock Midstead Farm Road.	From B.6347 at a point 300 yards east of Drythropple (NU 185206) south-westwards to Rock Midstead Farm Cottages for 180 yards.	Alnwick Division		0.10
U.3106	Powburn-Breamish House.	From A.697 near Branton Manse (NU 063164) westwards to the Berwick District boundary at Breamish House (250 yards). (Continuing in Berwick District as U.1092).	Wooler Division		0.14
U.3107	Boatman's Place, Low Newton-by-the-Sea.	From C.72 at Low Newton-by-the-Sea (NU 240246) south-westwards for 86 yards	Alnwick Division		0.05
U.3108	Farne View, Shilbottle.	Council House streets off south side of C.97 at Farrier's Arms Inn, Shilbottle (520 yards) (NU 193085).	Alnwick Division		0.29
U.3109	Back Togston Crescent, North Broomhill.	Off north side of A.1068 near junction with B.6345, including 3 No. entrances on north side of A.1068, (225 yards) (NU 246016).	Alnwick Division		0.13
U.3110	Queen Street and Gordon Terrace (Back Street), North Broomhill.	Off south side of A.1068 near junction with B.6345 (168 yards). Also from A.1068 at west side of Social Club south to Back Togston Road including footway both sides (23 yards); Back Togston Road (49 yards); Back East View including east side footway (50 yards) and Front Chapel Row including south side footway (39 yards).	Alnwick Division		0.19
U.3111	Road to Demesne Farm, Edlingham	From C.89 at Edlingham (NU 110089) south-westwards to Demesne Farm, (127 yards).	Alnwick Division		0.07
U.3112	Rushycap-North Acton Road, Felton.	From U.3092 at Rushycap (NU 174034) eastwards crossing A.1, thence via Acton Dean to U.3041 at North Acton (NU 184025).	Alnwick Division		0.99
U.3113	Shepherd's Hill Back Road, Alnmouth	Off north side of B.1338 at Alnmouth, east of Duchess Bridge, including 2 No. entrance roads, (180 yards) (NU 245109).	Alnwick Division		0.10



# Ordnance Survey Explorer Map 332

1:25,000

(2005)



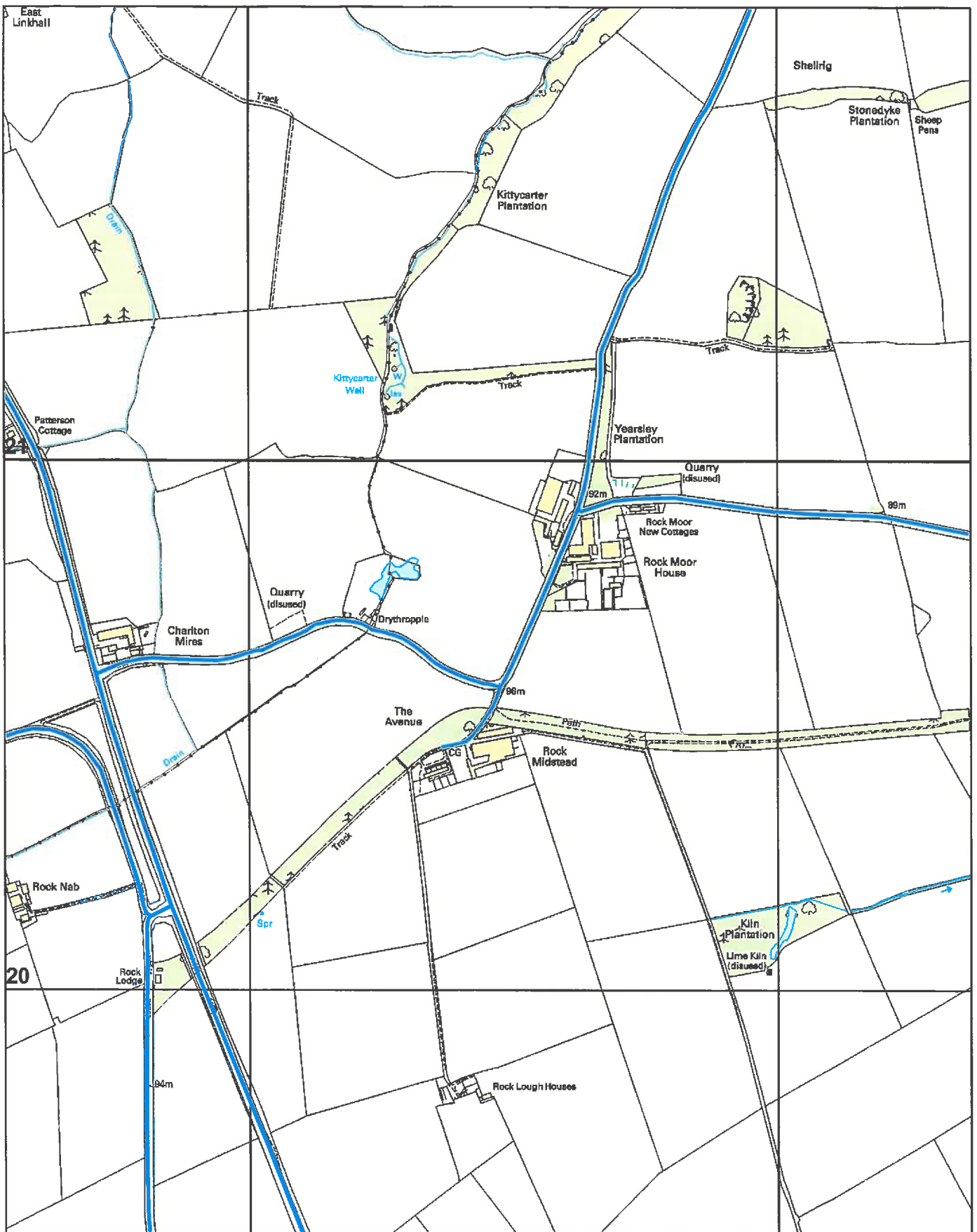
EMBLETON

RENNINGTON CP

WICK 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>U3103</b>		
	B6347 JCT TO CHRISTON BANK FARM	374
	<i>Total length for U3103</i>	374
<b>U3104</b>		
	B6347 JCT TO BROCKLEY HALL FARM	525
	<i>Total length for U3104</i>	525
<b>U3105</b>		
	B6347 TO ROCK MIDSTEAD FARM ROAD E	169
	<i>Total length for U3105</i>	169
<b>U3106</b>		
	U1092 DISTRICT BOUNDARY TO A697 JCT	237
	<i>Total length for U3106</i>	237
<b>U3107</b>		
	C72 JCT TO BOATMANS PLACENEWTON	84
	<i>Total length for U3107</i>	84
<b>U3108</b>		
	FARNE ROAD (SOUTH) TO FARNE ROAD (	122
	CHEVIOT ROAD SHILBOTTLE	23
	ST JAMES ROAD SHILBOTTLE	50
	C97 SELBY ROAD TO C97 STREET JAMES	402
	CHEVIOT ROAD SHILBOTTLE	22
	<i>Total length for U3108</i>	620
<b>U3109</b>		
	TOGSTON COURT FOOTPATH	25
	TOGSTON COURT	71
	B6345 JCT TO TOGSTON CRESCENT	25
	TOGSTON CRESCENT BROOMHILL	202



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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Drm:

Date:

Scale:

AB

Nov 2019

1:10,000